

THE
CONFORMING
NONCONFORMIST
AND THE 10.4.6
NONCONFORMING
CONFORMIST
PLEADING

The Cause of either Side against violent Opposers, and modestly answering to the many Exceptions made by Mr. *Baxter* against Conformity, in his late Book, intituled, *The Non-Conformists Plea for Peace.*

By *J. C. Henry*

Rom. 12. 18. *If it be possible, as much as lieth in you, live peaceably with all men.*

LONDON,

Printed by *J. M.* for *J. Robinson* at the Golden Lyon
in St. Pauls Church-yard, 1680.

THE CONFORMING UNIFORMITY



Printed by J. M. for J. W. in the Strand
in St. Paul's Church-yard, 1800.

THE INTRODUCTION

To the ensuing

TREATISE

TWO things are to be considered by a wise man in every weighty Design, the End and the Means. *My End in the present Design of this Book is the promotion Good, the opening and vindicating of honest Trade, the flourishing of Love and Charity among Brethren, the mending of Dissenters mutually towards each other, more particularly the defence of simple Conformity where it is defensible, and where it may stand the and pinching to lay down such multiplying Arguments, Conclusions, and Explications as may weigh with wise considerate men, if not to judge Conformity lawful, and a Duty in case of silencing and deprivation; yet to think mildly of those conscientious persons which do conform, and wherein they cannot approve Conformity, and consent absolutely to it, they may not over-judge those which do, and thus we may have as much charity for each other as may be. This and no other is my end in writing and publishing this Book.*

The Means concurring hereto, and pitched on are two. 1. The Person managing this Work. 2. His way of doing it.

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1. The Person managing this Work is upon many accounts, I confess, incompetent. I am rude in knowledge, of slender Study and Experience, not fit to interpose between two such Parties as the Conformists and Non-Conformists, or indeed to appear in Private and besides inward and intellectual wants my present condition in the World and station in the Church disables me to an Office of this nature more than it doth a great many of my Brethren in many respects, which it is not much material to name. Upon other accounts I am perhaps too temperately composed; the temper of my Spirit inclining me to moderation and peace; and I frankly own, I do not know any person whose circumstances do not much differ from mine, and whose notions in all the Nation to whom I can wish more truth and firmness appropriate the Title of my Book than to my self; the application whereof I may here forbear. The Title of my Book is the image of my Mind; and the Summary thereof my Practice. For I preach where I cannot have call with both sides; I have made some of the Self-reprovers and Declarations which by Error are imposed on Ministers, and some I never uttered; and I have had many years experience of uniting both Conformity and Non-Conformity in communion with both sides. I am conscious to my self that I fear God, and have the root of the matter within me; and I have as few outward temptations to bias me and make me partial to either side as most I know; I confess some I have and have had from either side, but I feel myself nothing stirred by them. And in such respects perhaps I am not unfit for the present design.

2. For any way of making this Book that the
Book is full of grace, with the only difference
That I have written what I have written earlier in

The Introduction.

1. The Person managing this Work is upon many accounts, I confess, incompetent. I am rude in knowledge, of slender Study and Experience, not fit to interpose between two such Parties as the Conformists and Non-Conformists, or indeed to appear in Print; and besides inward and intellectual wants my present condition in the World and station in the Church disables me to an Office of this nature more than it doth a great many of my Brethren in many respects, which it is not much material to name. Upon other accounts I am perhaps competently competent, the temper of my Spirit inclining me to moderation and peace, and I scarce know, nay I do not know one person whose circumstances do not much differ from mine, and I know no one in all the Nation to whom I can with more trieth and fitness appropriate the Title of my Book than to my self; the explication whereof I may here forbear. The Title of my Book is the image of my Mind; and the Commentary of my Practice. For I preach when I can and have call with both sides, I have made some of the Subscriptions and Declarations which by Law are enjoined to Ministers, and some I never made; and I have had many years experience of moderate both Conformity and Non-Conformity in communion with both sides. I am conscious to my self that I fear God, and have the root of the matter within me, and I have as few outward temptations to bias me and make me partial to either side as most I know; I confess some I have and have had from either side, but I feel my self nothing stirred by them. And in these respects perhaps I am not unfit for the present design.

2. For my way of managing this Work, that the Book it self will shew, with this only Advertisment, That I have written what I have written rather as a
Learner,

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Learner, in a way apt to inform mine own understanding, and gain satisfying evidence and instruction to mine own Soul. And I repend me not of these studies, should they only lie by me, and not come into publick, for the knowledge and further information which I have got, and thereby much advantage to meekness and charity, and the temper of my Spirit and Christian walking towards both sides. If in any part of the Book I have let fall a word savouring of too much confidence, I wish it unsaid. Many things I have wholly cut off and forborn to insert, because the Church is already cloyed with Books and Controversies, and what is there which hath not been often said and canvassed by one or other? As also to expedite the matter, and for some other conveniences which I shall not mention.

I suppose the Reader to have by him impartial Mr. Baxters late Book intitled, The Non-Conformists Plea for Peace, laying down the Reasons of the Non-Conformists why they cannot conform. I have set down my Proofs and Answers, not in his Method, but as I could remember and things came into my mind, not so much regarding how to order and place things, so I could honestly open and make plain the things in question, and satisfie mine own conscience. I have chiefly medled with the Ministers part in Conformity, which is the main of all. And I have only insisted on so much as Conformists do ingage in, of which I take the Oxford Oath to be no part.

A certain Noble man of this Land being impeach-
ed for High Treason, and upon Tryal for his life, made
it his business throughout all the Tryal, many Crimes
being objected and proved against him, to put by the
Charge of High Treason, as knowing that that proved

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would cost him his life. That same policy I have observed. It stands the Defenders of Conformity upon to prove simple Conformity lawful, and a duty rather than be silenced. If the Reasons against Conformity do not amount to prove it flatly sinful, the Reasons for Holiness, Charity, Concord, and the common Good will be of force to prove it a duty in case of silencing and deprivation. This therefore is the issue of the Controversie. I am not to yield to the smallest sin to save my life. I may, to save my life, yield to many inconveniences so much as I may do to save my life, so much I may do to save my ministerial liberty. Just self-denial binds me to suffer rather than to sin, so also doth just self-love. And the same just self-denial and self-love do bind me to be wise as the serpent, and innocent as the dove, and of two inconveniences to chuse the least. What I may do, I may so far unfeignedly assent and consent to do. In case I be in a storm at Sea, and must either lose my life or the Ship, I do not lie or dissemble, if I say and declare, I do unfeignedly assent and consent rather to lose the Ship than my life. My duty is to love unto God, and the common Good, and to do that which all things considered will make most for the health of the Soul, and the promoting of Holiness, Unity, and Peace. It is very sinful to make a false subscription, and it may be very sinful to make a false construction. He that judgeth sin to be no sin in our rich way, and he that judgeth sin to be more sinful than it is, erreth both also. A suspected, great, and dreadful sin is not to be ventured upon in any wise. A small, unperceived, doubtful sin is to be done for the obtaining of real, apparent, and great sin, and the obtaining of real, apparent, and great good. Mens thoughts can-

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not alter Gods Law : but mens weakness and ignorance may make it their duty of two unperceived, yea perceived sins proposed to them, to take the safer side, and that is to avoid the greater. If the Conformist err, it is in many regards an error on the better hand, as having charity on its side, thus; My Governours are Christians and Protestants, and the first Compilers of the Liturgie pious and learned Men and Martyrs, and I have charity for them so as to think, that their Orders and Injunctions, candidly meant, are nothing but what an honest man may assent to and do, and it is my great duty to be all things to all men; and please them for their good in such things as are not simply forbidden by God. If the Non-Conformist err, it is upon many accounts a safe error, because it is confessedly a refusal to subscribe and conform to a parcel or number of things in their own nature indifferent; rigid Conformists confess them to be but trifles comparatively, the Church might be without them, and yet do well; and moderate Conformists confess them to be burdensome, and the Church might be and do better without them, or if they were left to each mans choice and will. Both sides expose themselves to sufferings and censures, though not just the same, nor all of one kind. The Conformist is thought to be a Temporizer, a carnal man-pleaser, a Formalist, a man that will say and swear any thing for a good Living; of a loose conscience, whose Religion is worldly honour, ease, or interest. The Non-Conformist is thought to be seditious, unpeaceable, factious, schismatical, manifestly disobedient to lawful Authority, and a contemner thereof, and a breaker of lawful Orders, and worthy to be silenced, imprisoned, anathematized, and used as intolerable. Both are

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thought to be bad and base persons, and their Assemblies not meet to be come into and joyned with. The Conformist may be a real Martyr for Peace, and he that is entirely peaceable is truly holy. The Non-Conformist may be a real Martyr for Holiness, and he that is entirely holy is truly peaceable. I am well satisfied that the Church will never enjoy Catholick peace but upon Catholick terms, which the terms of Conformity are not; yet that may be lawfully done and conformed to by Inferiours, which Superiours may not without great sin under so great a penalty as silencing enjoyn.

I am very sensible that I shall have many on either side my Adversaries: The one will charge me for a Dissembler and Revolter from Conformity, and false to Subscription and Conformity, and worse than a down-right Non-Conformist. The other will be apt to charge me for making false Oaths and Subscriptions, and Covenanting against Reformation, and promising to do what I never meant to perform, and to be plain, worse than a down-right Conformist. Both sides I know will grant me one Principle. If they grant it not, they destroy their own Cause. If they grant it, I deny both their Charges of gross sin against me. They will both say, that their way is the way of God, the Conformist for him and his Brethren will say, that his way is the way of impartial godliness, the Non-Conformist will say the same for himself and the Brethren of his way. I maintain and hold with no man errors such as I know to be errors, and yet my Religion binds me to love God, and goodness, and all good men, and to go no further from Conformity nor from Non-Conformity than needs I must. My practice for the main is the practice of impartial godliness. It is certain, that

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that if Conformity be an error, Non-Conformity is a truth. If Conformity be a truth, Non-Conformity is an error. But that which is an error may be doubtfully so: and he that shall over-censure, may be more guilty than the error he censures. There was a time in England when the whole Nation was at a stand whether side to close with in the long and bloody Contest between the two Houses of York and Lancaster. It was no Treason or Disloyalty in good and peaceable Subjects to adhere to either side; for while the Sovereignty is in question, and it passes common Understanding to say whether hath better Right, the Subjects Duty and Allegiance is for the time equilibrated and in suspense. I neither say that the case between Conformists and Non-Conformists is just the same, nor do I not. I am satisfied that it is in it self a great and dreadful sin to silence the Non-Conformists, and do by them as hath been for these many years. Simple Conformity may be lawful, and yet no way approve that, but condemn it as heinous sin. My affection is to Conformity, to defend it all as clearly lawful, if I could, though I be requited evil for my good will. But I will not so far be Advocate for it. The Conformists in my apprehension have much to say for themselves, if any one of them or for them shall by rational consistent Evidence prove it to be clearly lawful in many most material things objected against it by its strongest Opposers, and say so much for the more pinching part as may render it a doubtful small evil, and such as may with an honest Salvo or Explication be subscribed and consented to as tolerable, and a duty in case of silencing and deprivation.

There is no man that believes a God, a Heaven, and a Hell, but he will make conscience of an Oath,
and

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and the most sacred bonds and engagements. Blame not persons for being wary and cautious in these : but rather blame those loose conscientious men , who measure others by themselves , and think that their humours , opinions , lusts , and proud imperious wills are fit to be the Standard of Unity, Uniformity, and Edification to all the Churches : God and conscience will one day find all such out. Blows and railings are not fit reasons wherewith to convince a peaceable and conscientious Adversary. Mens understandings cannot be forced. If I plead for Conformity , I do not plead for it to the advantage of Wickedness, Tyranny, and Uncharitableness. God preserve me from saying or doing ought against the main cause of Holiness and Peace , and from maintaining Truth to the disadvantage of Truth ; and the hinderance of Peace : wherein I have by any act or omission done ought against that Piety which I owe towards God , that Justice and Charity which I owe to men one or other , I repent me thereof, and beg forgiveness of God and of his Church.

Some perhaps will take hold of my foregoing comparison and similitude , and militate against me with mine own words , in this form. Object. Though it is free for the Subjects unengaged to adhere to either side, yet if any one, after he is engaged to the one side, shall revolt to the other, he is perfidious, and to be trusted with neither. *ANSW.* To which I answer, That all similitudes have their dissimilitudes , the cases are not the same. I was a Christian before I was a Minister. My Oath in Ordination ought not to prejudice my Oath in Baptism. Simple Conformity, if it be lawful, is a branch of simple Christianity and Godliness , and bindeth me more strongly to be one in judgment, affection, and conversation with all good men, yet consenting

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sending to no man's errors, nor approving sin in any, nor yet over-censuring sin. Cum Romam venio jejuno Sabbato: cum hic sum, non jejuno. Sic & tu, ad quam forte Ecclesiam veneris, ejus morem serva, si cuiquam non vis esse scandalo, nec quonquam tibi. This heavenly counsel of Ambrose & Augustine, all wise and peaceable Divines do highly approve. The two Houses of York and Lancaster were indeedly contention one against the other, fighting for carnal Sovereignty and outward Rule and Principality. Pious Conformists and Non-Conformists are Brethren, they agree in more than they differ. Their Religion, their Cause, their God, their Saviour, their Sanctifier, their Hope, their Heaven, their Scripture one. I say not that they do in nothing differ: differ they do. Nor do I say, that their differences are of small or no importance to Holiness, Unity, and Consolation. The least things in Religion are not simply nothing: they are in many respects matters of great moment, but yet not so to be equalled with the greater and Foundation points. Matt. 23. 23. But they are not two Parties, or two Churches, as two is contrary to Unity: but both their Churches are Churches of God, and they are as the men are who do guide and constitute them. In some things the Non-Conformists do excel the Order of the conforming Churches. In some things the Order of the conforming Churches doth excel all or most the Non-conforming Churches that I have come in. But both are Christian Assemblies, and God is worshipped in both, by neither without all fault and imperfection, by neither intolerably. It is the constitution and internal qualification of the Pastors which doth very much alter the same sort of Service. The same work and duty, as done

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done and managed by a judicious and holy man, whether Conformist or Non-Conformist, is a far different thing, as to worth and usefulness, from the same thing, as done by an ignorant and unholy man, whether Conformist or Non-Conformist. And though there may be too many bad Ministers (for one bad one is too many) yet there was never Age in the World in which there were too many useful, eminent, and good ones. If we were more, the Souls in England and Wales would find us all work enough. And yet as to myself I add from the former similitude, That if the House of Lancaster shall for no cause cast out one of their Captains, and necessitate him to turn to the other side, they have no cause to complain; and the House of York understanding his constancy and fidelity hath no cause to refuse such a Revolver.

Touching the lawfulness of using set Forms of Prayer, and the ordinary Morning and Evening Common Prayer Forms, I have said little, as making no question of the former, and being free to use the latter when called to it. As for the rigid imposing of them, that is no part of simple Conformity. And yet no worse a matter than Mr. Calvin, Epist. lib. pag. 69. is both for the using and imposing of humane stunted Forms, and would have all the Pastors tied to them. As to the imposing of humane Forms my opinion is, Let good Forms both for Families and Churches be composed: those that need them, and cannot do so well without them, let them use them: those that need them not, and can do as well or better without, let them not use them, or let it be left to their choice. Such as think all repetitions in Church-service vain, let them read and consider the Psalms, particularly Psal. 136: containing six and twenty verses, and every verse repeating,

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peating, For his mercy endureth for ever. And for those that think it disorderly for the People to say after the Minister, and make Responses, and use their voice aloud in Church-service, it seems to have been common and ordinary in the Churches both under the Old and New Testament, Psal. 67. 3, 5. 1 Chron. 16. 35, 36. 1 Cor. 14. Rev. 19. 5, 6, 7, 8. All grant it is the Peoples part, even all of them, to say Amen, Deut. 27. 14. to the end. If it be good, orderly, and sweet to sing, why is it not good, orderly, and sweet for the same persons to say, Confessions, Prayers, and Praises to God? It is the want of use that makes it seem strange, otherwise it would be as familiar as singing of Psalms. If Hypocrites and bad people do it ill, and do nothing but the bare Form, sincere and good people are to do it well, and joyn both the life and form together: and what is loathsome in the one will be amiable and delectable in the other. A little spiritual use and experience would more convince people than bare Reasons and Arguments.

Finally, if my Answers to Particulars shall not prove cogent, let the two last Sections be taken in, and the whole and each particular be estimated and judged of by all that is said, being put together. Some things I discern might have been better explained, which if the Book were to do again I could help. If the Book it self, charitably meant, be not its own defence, I crave Patronage of none, I shall expect to hear of what by one or other shall be convinced to be faulty. Insipientis est dicere non putaram. But repentance is no mans crime. I was afraid some one would write against Mr. Baxters Book, and neither convince the Non-Conformists, nor do just right to Conformity.

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A Premonition.

R Eader, blame me as thou pleasest for want of heed and skill in writing; but give me leave to amend mine own imperfections so far as I discern and am able, and to premonish thee of these matters following for prevention of mistake in the following Book.

Pag. 4. lin. 9. *I affirm Mr. Baxter to say, that the outward part in Ordination may be repeated, but not the inward part. Note, he doth not say so in terms: but he says, the outward part in Ordination may be repeated, but not proper full Ordination. p. 15. l. 28. leave out, and but three. p. 46. l. 24. I hold that there may be a just arguing from similitudes. p. 97. Touching the Scriptures being the only Rule, I do fully assent to Mr. Baxters Judgment in divers places of his directory: and if my exception be not warranted thereby, I renounce my exception. p. 126, 127, 128. I perceive by search I have somewhat miscited the words of that which is commonly called, The Oath of Canonical Obedience. That the Chancellor is not included in those words, Ordinary and other chief Ministers of the Church, my Reasons prove. But that he is included in the following words, And them to whom the Charge and Government over you is committed, I neither affirm nor deny. p. 63. l. 14. r. this day in some Market-Towns, though not in all.*

THE
Conforming Non-Conformist
AND THE
Non-Conforming Conformist.

S E C T. I.

Concerning Re-Ordination.

I Cannot see wherein this is simply unlawful. The only reason against it for proof that it is simply unlawful, is, that it is said to be an implicit lye. Other reasons are also given, but they all rest upon this as a foundation. And if this fall, they do all fall with it. Now it is evident from the thing it self, that Re-ordination is no more a lye than Re-marriage, or than the twice listing of a Souldier, or the twice crowning of a King. Non Conformists will confess these to be no lyes. Indeed for a man that was before validly ordained, to say he was not ordained, is a lye: but barely to be ordained again is no lye, neither explicit nor implicit. It seems to be all

*Christian Directory
Book 3. Ecclesiasti-
cal Cases, quest. 21.*

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one to ordain to the exercise of the Office, and to the Office. For the Office and the Exercise do but differ as a man sleeping and waking. If you ordain him not to the Office, you ordain him to nothing. To ordain to the Exercise, and not to the Office, is a plain contradiction, as to say you shall exercise the Office of the Ministry, and yet be no Minister, nor be invested with the Office. Whereas some plead, that it is lawful to be ordained to the exercise of the Office, but not to the Office it self, to me it seems clear, that it is lawful, yea a Duty in case of deprivation, to be ordained a second, yea and a third time, if need be, to the very Office of the Ministry. For it being plainly no lye, but the repeating of a Ceremony or ministerial Investiture, God will have mercy rather than sacrifice. If to save the life of a beast, and much more of a man, it be lawful by the Warrant of Christs words to profane or violate the Sabbath, *Mat. 12. 5.* it is equally lawful for the saving of a Ministers life or his liberty, to profane or violate the Ceremony of Ordination, by being again, yea and again ordained. For Ordination as the Sabbath was made for man, and not man for it. I grant without urgent reasons it is not to be done. Ordination is a point of order, and being once validly done by eminent Presbyters and grave substantial Ministers, it doth to all intents and purposes make him a compleat Minister: and if he be twenty times ordained, he can be no more a Minister than the first Ordination makes him. A second Ordination confers no new Authority, more than what was conferred before. And therefore it ought not to be done without

without just and urgent reasons, because it is partly a void act, and a violation of the rules of external order in an ordinary way, and hath a shew, I say a shew of evil, though really it be not the evil which it is a shew of; and when done without urgent reasons, it is a taking of Gods Name in vain, and tendeth to scandalize others. No man without cause and just necessity is to break the ordinary standing rules of right external order in Family, Church, and Commonwealth. For the reason is the same in all, though in holy things it behoves us to stand more upon outward exactness and order, than in things common. But yet there is Family-order, and Commonwealth-order, as well as Church-order. And as we must walk orderly in all relations, so external order is to give place to Holiness and the common good, and mercy is to be preferred before sacrifice. And whoever shall impartially weigh that passage of the twelve Disciples, *Act.* 19. will perceive, that they were twice baptized, first with *Johns* Baptism, and then with the Baptism of Christ, which he at his Ascension commanded to be used, *Mat.* 28. 19. And to me it seems clear, that *Johns* Baptism was no nullity, but the Baptism of repentance for remission of sins, that is obsigning, sealing, and ensuring forgiveness of sins to the party baptized upon the condition of his sincere repentance; and yet because it was not intended but for a time, and the institution of Christ after his Ascension and upon the descent of the Holy Ghost, *Act.* 2. was to take place, and be the one only standing Baptism of the Church for all that would be Christs Disci-

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ples; therefore St. Paul judged it not peradventure a thing of flat necessity, but of orderly prudence and conveniency to rebaptize those, who had been really baptized before with a good and substantial Baptism, though not in all points the same with the Christian Baptism.

It is said by Mr. Baxter, That the outward part in Ordination may be repeated, but not the inward part; *In the place fore-quoted.* he seems to affirm as if the heart and the tongue might not go together, and as if it were lawful to dissemble and play the Hypocrite. Questionless if the outward words and form may be repeated, the inward thoughts and affections are to concur and be principal in the act, or there will be hypocrisie.

And whereas he says, that re-marriage and so re-ordination is not two Marriages and Ordinations, but one and the same marriage twice repeated; the common people, and so do all take it to be twice marriage: and it must needs be so. The second Ordination is a true, entire, and compleat Ordination as is the first. The very same thing is supposed to be done the second time, as if the King should be twice crowned, or as if a man should twice take the Oath of Supremacy, or as if a Captain or Judge having already a Commission, should have a new one sent him containing just the same words, having a new Date and a Seal put to it just like the first. He that is a man cannot be made a man, that is a contradiction and impossible: so also he that is a holy man cannot *in sensu composito* be made holy. If you add more holiness to him, you do not simply make

the Non-Conforming Conformist. 5

make him holy, but you make him more holy. And as to these the rule holds good, *Factum facere*, and *factum infectum facere* be equally impossible and a contradiction. But as to many things intermediate, and which be of a middle nature, neither simply good nor simply evil in themselves, you may *factum facere*, and yet not *factum infectum facere*. He that is an ordained Minister may be ordained again. And every time he is ordained, he receives a full Investiture of the ministerial Office. That which misleads Divines in this case, is a supposition or false conceit, that the second Ordination is an implicit lye, and a renouncing of the former lawful and valid Ordination. I thought so my self a good while, but I clearly perceive it to be an error; it is no more but the seeming of a lye, which no man should do but in such cases and extremities as do warrant a prudent and pious man to do a seeming evil for the avoiding of real and great evil, and the obtaining of real and great good. St. Paul writes to the *Galatians*, *If ye be circumcised, Christ shall profit you nothing*; and yet he himself circumcised *Timothy*, and he had sinned against prudence and charity, if he had not. As I should not, in cases where I am free, scandalize my Brethren by doing a seeming evil, or the shew of evil: so my Brethren are to beware of Censoriousness and rash judging, and not condemn *Paul* of sin for circumcising *Timothy*, till they know the whole matter. In this I judge Conformity very lawful; and if this were all that Non-Conformists had to allege, I cannot see but that it were their duty to repent of their mistake and conform. Note,

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the Law doth not say, that Ministers ordained by Presbyters only shall be re-ordained: it only says, that all that will be Ministers of the Church of *England* shall be Episcopally ordained. Now it is evident by the thing it self, that Ordination by eminent and senior Presbyters is Episcopal Ordination, though not in the vulgar sense. For a Bishop and a Presbyter in the sense and language of the Scripture are the same. *Act. 20. 17, 28. Phil. 1. 1. Tit. 1. 5, 7. 1 Pet. 5. 1, 2.* Peter there calls himself Compresbyter. Yea if the Presbyters do excel those called Bishops, Ordination by them is more excellent than by these. Many give too much to Ordination, as it is outward and the bare act of man, and an Investiture only. And many contemn it, and give too little to it. But certain it is, that all Pastors of Souls be Episcopal, and even the Presbyterian and Independent Ministers be Divines Episcopal in the most proper sense. And if this conciliation would suffice, there would need no new Ordination. For the rules of Conformity do only exact that all be Episcopally ordained. And I prove, that the Non-Conformists, who be ordained by grave and substantial Presbyters only, are *eo ipso* Episcopally ordained in a proper sense, though not in the vulgar sense.

SECT.

S E C T. II.

Concerning the divers Orders of Ministers in the Church, and whether it be evident to all men reading holy Scriptures and ancient Authors, that from the Apostles time there have been three Orders of Ministers in the Church, Bishops, Priests, and Deacons?

FOR my part I think there are more than either three or four Orders of Ministers in the Church, if I may understand Order in the strict and proper sense, according to the phrase and language of the Scripture, and the right use and signification of words; and the ordinary meaning of people at least in all other cases. Is it not very proper to say, that such Ministers as be holy, and do holily order their lives, and be faithful in their place, and shall have everlasting joy, are of a different order from those that be wicked, and live disorderly, and be unfaithful in their place, and shall have everlasting torment? So much true Holiness and ministerial Wisdom and usefulness, so much true order: and according as Ministers do differ in holiness, and do well or ill, better or worse order themselves and their ways, and manage their ministerial Office, they may be said to be of divers orders. If you shall say, that by this I confound external and internal order, I say no: but I conjoyn both in one, and do think, that as the inward and outward man do make but one man, so inward and outward order do make but one entire and compleat order.

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Those who say the Bishop and the Priest or Presbyter do differ in degree only, not in order, may mean well, but they seem to speak unaptly, because there are various sorts of order, and various degrees of the same sort of order. There is one order of learned Ministers, and various degrees of this order, some have no Learning, some have but a little, some a great deal, some have an Ocean of Learning. I might instance in other orders, but I forbear. Order properly is the right placing of things. The Bishop may sit first, and the Presbyter next, and this be only a difference as to bare place and outward precedence; if the word *Degree* be meant in this sense, it is well said as well as meant, that they differ in degree, not in order. But right order and degree are things of greater moment than bare outward place and precedence. I apprehend what the meaning of the Book and of Divines in this case is by order. And in a sound sense I conceive it to be true, that there are or should be in the Church three orders of Ministers. 1. The fixed Pastors of every Parish or particular Congregation. 2. Deacons as inferiour Officers to assist them, and take care of the Poor. Of these two there is no question or controversie. 3. The third is, some more eminent Ministers to succeed the Apostles in the ordinary part of their Office, as general Bishops, Pastors, and Officers of Christ in the Church, like Colonels and chief Commanders in an Army, somewhat different from the Captains and stated Officers of every single Troop or Company. For the Apostles having constituted Churches and particular Congregations, by
placing

placing fixed Pastors sufficient for number and quality to oversee the several Flocks, and to be resident and conversant with them, and watch over them as a Shepherd over his sheep, did not stay long in one place, but went up and down preaching the Gospel, and working Miracles, and founding new Churches. But when they had leisure and liberty they did go over all the Churches which they had planted, and visit them: and when they could not go themselves, they employed others, and wrote Apostolical Letters and Messages. The Holy Ghost would hereby plainly signify to us, that besides the fixed Pastors and Deacons of every Parish or particular Congregation, there is use for some larger Episcopacy in Gods Church, and for general Officers and Overseers to visit the several Churches. This was the Primitive and Apostolical Form, and we may well think, it was intended and set down in Gods Word for a pattern to all succeeding Ages. And it seems to have been in the Christian World universally, or in most parts in all Ages to this day, and to be approved by the most eminent Non-Conformists. And if not while the Apostles lived, yet soon after the distinction of Bishop, as somewhat more eminent than the Presbyter grew, and hath continued in the Christian World ever since. And here comes in the use of Diocesan Episcopacy,

Act. 14. 21, 22.

Act. 15. 36, 41.

Act. 16. 4, 5.

Act. 18. 23.

Act. 19. 22.

Act. 20. 17, 28.

Tit. 1. 5.

*Christian Directory,
Ecclesiastical Cases,
quest. 56. pag. 127.
and his Treatise of Con-
firmation, pag. 299.
The best things corru-
pted turn to be worst.*

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Episcopacy, as most consonant to Scripture, and of greatest Antiquity and Universality in the Church, being duly bounded and managed. For though the Apostles as such were extraordinary, and dying their Office dyed with them; yet the ordinary part of their Office in visiting the Churches, and exercising a more general and unfixed Ministration and Pastoral oversight under Christ in the Church, (together with the Service and Pastoral oversight of the fixed and resident Ministers of every Parish or Congregation) did not die with them, but was to remain and be perpetual in the Church to the Worlds end. And I suppose, that this and no other is the plain meaning of the Book of Ordination in this passage. All the Controversie seems to be about this Diocesan Episcopacy; in which there are extremes. Some wholly deny it, others give too much to it. The true mean is between both. If you demand, What are the due bounds of a Diocesan Bishop in just consistency with the Parish-ministers? I answer, 1. That he be one and principal in all Ordination, or some one in his room, and by his appointment and delegation. 2. The due and regular visiting of all the Churches within his Diocess not being too many for him, or some eminent Minister in his stead whom he shall appoint, either for the whole or a part only. 3. Presiding as Chair-man and Prolocutor in the larger Assemblies of Ministers in his Diocess, or some one to be named by him. I said in the precedent Section, that in Scripture-sense and language Bishop and Presbyter are the same. And if it could be obtained, I would rather wish that we might
speak

and the For ary, the hur- yed rift and Mi- not pe- d I an- ge. io- es. It. nd, in an- all by ue is ne p- e- er ne nt i- d t k

Speak as the Scripture speaketh, and call all Ministers Bishops, and intimate no difference between a Bishop and an Overseer of Souls. This were best if it could be obtained. But custom and common use have so prevailed, that it is better to bear with the name, and for peace and unity sake to yield and indulge it to one sort or order of Ministers as general Officers of Christ, and Visitors and Overseers in the Church, lest by attempting to cure a tolerable evil, the remedy prove worse than the disease. If the Pope would but be a good man, and a godly Bishop, I should be willing, according to the common language, to call him Pope. 4. The name of a Bishop as of long and general and known use in the Church as appropriate to him as a general Officer in the Church, rather than to common Presbyters, and the fixed Pastors of every Parish. 5. A negative Voice or ruling Vote as Compresbyter both in Synod and out of Synod for such matters as be undetermined by the Word of God, and wherein for concord and the Churches sake it is better to be counselled and ordered by the Bishop, though not without inconvenience and tolerable evils, than to fall out and divide from each other, and rend and lay waste the Churches. These five may well be allowed to the Diocesan Bishop, as a Colonel in Christs Army, in just consistency, communion, and concord with the Parish-ministers, as Captains to single Troops and Companies.

It may be demanded, Whether there may be an Ordination unto these points as an Office distinct from the Ordination of a Presbyter, and if such

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such Ordination do imprint any new Character? And in this Learned men are not agreed. My opinion is, That there may well and lawfully be an Ordination to the office of such a Bishop Diocesan as a general Officer in the Church, and yet it is not of flat necessity, nor commanded by any Word of God that I know of. And I know no Word of God forbidding it, nor do I know where in it is contrary to the rules of right order. Where it is injoynd and prescribed by Authority, as it is with us, it ought to be used, either in obedience to Authority, or for peace sake, and to avoid worse evil, or in both regards both formally and materially. Whether you call it a distinct office, order, or degree in the Ministers from that of the fixed Pastors and Presbyters of every Parish, it all comes to one. If you say it is another order, or another office, or another degree in the Ministry, than meerly that of the fixed Pastors, no wise and peaceable man will wrangle against the name or word all the while the thing is agreed to. It is no more unlawful to ordain an eminent Presbyter to the office of such a Bishop, and invest him with ministerial Authority to do the office of such a general Pastor or Minister in Gods Church, as is fore described, than it is unlawful for the King to give a Commission to a Captain, and thereby make him a Colonel, or to give forth a particular Commission of *Oyer and Terminer* to the Judges to try such and such Malefactors. There is an Ordination to the office of a Minister in the general. There may be an Ordination to some special and particular parts of the office, which seems

seems clearly hinted *Act. 13. 2, 3.* or to some special Functions and temporary or stated Administrations. Nor can it be proved by any Word of God or sound Reason, that it is simply unlawful to make many Ordinations to the general office of a Minister, or ministerially to commission and authorize him that is already a Minister by Imposition of hands, and the usual Solemnities of Ordination to some special Services and Administrations belonging to the office. It is but the often repeating of the same thing, and a cumulating or conferring of Authority upon him that already hath Authority. He that is a true and compleat Judge needs no more Commissions for the Tryal of any Prisoner or Malefactor whatsoever within the verge of his Jurisdiction. And yet the King may both give him a new general Commission, and a special and particular Commission of *Oyer and Terminer* to try such and such Prisoners.

It may be demanded, as I said before, If the Ordination of a Presbyter to the office of a Bishop do imprint any new Character besides that of the Presbyter, and if so, what it is?

To which I answer, It doth, and it doth not. The Presbyters office doth include the whole office of a Bishop and Archbishop, if he hath but Learning, Wisdom, and Holiness well to discharge it. And yet this doth not nullifie the just order of Diocesan Episcopacy, nor hinder the validity and use of the Bishops Ordination. There is a new Character imprinted, and yet it is with such mediocrity, that it may be said there is no new Character imprinted. To be *Pastor Pasto-*

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rum in a strict sense is proper to Christ alone, yet is there a larger Episcopacy in Gods Church, than meer Parochial Episcopacy. I do not say, that the Presbyters Ordination imprinteth only *A*, and that the Bishops Ordination imprinteth both *A* and *B*, or *A* and half *A*. Both this I say, That where God doth give eximious and singular Gifts to this or that Minister above his Fellows, he may by solemn Ordination be set apart for some more work and office in the Church, than vulgar Divines. And there being in him a special stamp of Holiness and Episcopal wisdom and grace before the Ceremony of Ordination; the Ordination-act doth *coram Ecclesia* solemnly invest him with ministerial Authority to be a general Bishop or Pastor in the Church, and he hath more large and true Episcopal Authority tempered with Wisdom and Holiness than vulgar Pastors, and the ordinary fixed Ministers of every Cure. The office of Ordainers in the act of Ordination is not to do any part of that which is the act of the Holy Ghost in qualifying and fitting persons to the work, and inclining their minds, and directing their thoughts, and opening a way by his Providence for their entrance into the Ministry: the Holy Ghost hath his proper part and the most principal part in the making of Ministers: the office of Ordainers is only to discern him whom God hath fitted and called to the office, and ministerially to invest him with Authority to serve as a Minister in Christs Church all his days. Properly the act of Ordainers doth imprint no Character at all, save as it is a just and due discerning of the parties fitness, and an extrinsecal investing

vesting him with the office; which indeed doth lay a bond upon the party ordained, and he is thereby obliged during life in an ordinary way to do the office of a Minister. But if God never called him to the office, if he want due and fit qualifications such as be necessary, he thereby expungeth all inward characters out of his mind, and is but the bare image or carcass of a Minister or Bishop. The principal Character is not the bare name of a Bishop, nor the bare authority and obligation to do the office; these are but things extrinſick. If there want inward wisdom, goodness, and ability to manage the Office and Authority, I will not say he is no Bishop or Minister, a dead man is a man, I will not be forward to deny him the Name: but verily he is but the name and image of a true and real Bishop and Minister. Take heed of undermining Parish-Episcopacy, take heed of denying and vilifying the just use of Diocesan Episcopacy. They are both Institutions of God in their place and kind. If the Diocesan Bishop be an *Usher* or an *Augustine*, how happy will the Church be! But if he be a *Bonner* or an *Hildebrand*, he will danger to tear all in pieces. If the Bishop be bad, and misexecute his office, blame not his office: the office is from God. And in this sense it is sound and good, that there are three, and but three Orders of Ministers in Gods Church, Bishops, Priests, and Deacons. I suppose I have hit the true sense of the words of the Book of Ordination, and have said nothing for the main which doth not suit with the Ends and Principles of all that fear God, and tendeth both to Unity and Purity,

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Purity, Reconciliation and Reformation. I shall not make it an Article of my Faith, that this sense of Episcopacy is evident to all that diligently read the Scriptures and ancient Authors. But this I am free to declare, that this Episcopacy is Divine and from God, that is the just harmony and consistency of Diocesan and Parochial Episcopacy, and is not a meerly humane or arbitrary Constitution; and that those that deny the Name, if they be good and sober men, do grant the thing, and that all that diligently read the Scriptures and ancient Authors, and be right godly men, do for substance agree in this delineation of Episcopacy and Presbytery: and consequently that this point in Conformity is not without its just and upright defence, though it may be too many will not take it well to have their own Principles opened against their own private interests.

S E C T. III.

Concerning the Bishops Oath of due Reverence and Obedience to the Archbishop, and to the Metropolitan See.

I Know no cause why any such Oath should be exacted and imposed: but in that it bindeth to no more duty, than what the Bishop would be bound to without an Oath; and being enjoined by Authority, it may be lawfully taken, and in case of deprivation should be taken. There is a subjection due from one man, and so from one Pastor to another, *1 Pet. 5. 5.* And we are to honour

honour all men, 1 Pet. 2. 17. The Archbishop is at least *Episcopus primæ Sedis*, or *Episcoporum primus*: and as the rest of the Jurors will not deny to reverence their Fore-man, and the House of Commons their Speaker, so the rest of the Bishops may well reverence their Metropolitan or Archbishop, and perform to him and to his See from time to time all due reverence and obedience; as all the Cities in the Nation will reverence and pre-esteem *London*; and as all the Mayors in the Kingdom will reverence and give precedency to my Lord Mayor of *London*. And yet I think it were better if no such Oath were. But being so, it is no just bar to Conformity.

S E C T. IV.

As to the Oath of Canonical obedience by Deacons and Presbyters to the Ordinary, and other chief Ministers of the Church, &c.

1. **I**T is questionable whether it be an Oath, or a simple promise and engagement. It is not, that I remember, named an Oath.
2. Admit it be, Mr. *Baxter* in his *Ec-* *Quest. 153.*
clesiastical Cases seems clearly to have determined, that it is lawful when imposed to take it, because we swear to no more but what was our duty antecedently to any such Oath: and he intimates with approbation the concurrent judgment of the old Non Conformists.

Whereas he would insinuate as if we swore to obey the Ordinary according to the Church-Ca-

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nons, by which he is supposed to govern, that may not be so interpreted. There is nothing of the word *Canon* and *Canonical* (to my remembrance) in the Oath. There is no mention made thereof. We promise to be reverently obedient, and to follow with a glad mind and will their godly admonitions: but there is not a word of the Canons. As we do not condemn them, so neither do we approve them: we meddle not with them. And if that reason of his did hold good, that because we promise due obedience to Ecclesiastical Governours, that therefore we approve and swear to their Laws and Canons, then all that take the Oaths of Supremacy and Allegiance (which the Non-Conformists will not refuse) would be bound to all the Laws and Statutes of the Kingdom by oath, and consequently the Non-Conformists would be bound to Church-conformity when they take those oaths.

S E C T. V.

Concerning those words, Receive the Holy Ghost for the Work of a Priest, Bishop, &c.

THese words are express Scripture, taken out of *Joh. 20. 22, 23*. It will be hard to prove that they are not tolerable. There is something of the Holy Ghost extraordinary, which the Book of Ordination cannot reasonably be presumed to pretend to and mean. There is something of the Holy Ghost ordinary, which all godly and right ordained Ministers do receive, and are capable of;

of; and that is inward qualifications, excitations to and preparations for the Ministry, together with ministerial Investiture by the hand of ordaining Senior Pastors in the Name and by the Authority of the Holy Ghost, by which they become the due authorized Ministers of the Holy Ghost. And if the words of the Text be impartially weighed, and compared with *Joh. 7. 39.* and the state of the Disciples unto the day of *Pentecost*, when the Holy Ghost came down miraculously and extraordinarily upon them, *Act. 2.* it is not unreasonable to think, that no extraordinary thing was conferred by Christ, or required from the Disciples, at that time when he said, *Receive the Holy Ghost, whose sins ye remit, they are remitted, &c.* save only his own immediate personal speaking to them. Certain it is those latter words; *whose sins ye remit are remitted, &c.* are the ordinary part of a Ministers Commission, and of all Ministers. And they seem to be partly at least exegetical of those other, *Receive the Holy Ghost, &c.* I do now after my Resurrection and before my Ascension commission you to the Office of the Ministry, I do anew authorize you, have ye so much of the Holy Ghost as may suffice to qualify and enable you for all that work unto which you shall be called, be true and compleat Ministers of the Holy Ghost. I see not but that this sense of the words may be well made, and that they may be used to ordinary Ministers duly called to the sacred office. It cannot be proved, that the Book of Ordination in this is intolerable. If it might be better, it is tolerably well as it is, and consequently Conformity in this is justly defensible.

S E C T. VI.

As to those words to the People, To come forth, and make their Exceptions to the Person ordained, if they have any.

NOne can blame the Form it self, it is good and wholesom. If Bishops and Ordainers do not use it well, their blame be it. That can be no bar to Conformity. They may use it well, if they will. No man is debarred from coming to the Ordination. By the Church-Laws and Canons there are set days and times appointed for Ordination of Ministers. If people inquire they may know. The Rules of the Church require that all that be ordained to the sacred office be learned and able for the Ministry, and of pious conversation. The Bishop, if he pleases, may ordain upon the Lords day, or upon a Lecture-day in the face of the Congregation, and then the words may be well and soundly said. This is no Ordination to any particular place, but the constituting of him Minister in the Church universal, and to exercise his office when he shall have particular call. So that upon the whole matter I conclude, as in the other, If these words be not so apt and well as they might have been, the thing is tolerably well. This may be assented to rather than deprivation.

S E C T.

S E C T. VII.

Touching the two damuatory Clauses in the Creed of Athanasius, May a man unfeignedly approve the reading thereof in publick rather than be silenced?

Setting aside these two Clauses, Non-Conformists themselves do take it to be one of the most excellent Compendiums and Explications of the Christian Faith that is extant in all the Churches, for brevity, soundness, perspicuity, and fulness: and so do the generality of Divines and Christians. 1. Those that except against the two Clauses do it, as I suppose, upon the account of the Heathen World, and such to whom the Gospel hath not come, which by these two Clauses seem to be shut out of Heaven, even all of them. That it was the meaning of *Athanasius* so to judge may much be doubted. Doubtless Christ by his Gospel and coming into the World, did not put the World into a worse condition than it was before, save as sinners by their own wilful rejection of his Grace do procure to themselves the greater condemnation. None of mankind are losers by the coming of Christ. *St. Peter* says of Jesus Christ of Nazareth, *There is none other Name under heaven given among men whereby we must be saved, Act. 4. 12.* *St. Paul* says, *If any man love not the Lord Jesus Christ, let him be accursed, 1 Cor. 16. 22.* The Gospel says, *Every knee shall bow to him, and every tongue shall confess to him. I am the way, the truth, and the life, no man cometh to the Father but by me. Except ye believe that I am he, ye shall*

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shall dye in your sins. There is neither Jew nor Gentile, bond nor free, male nor female, Greek nor Barbarian; but ye are all one in Christ, and Christ is all in all. Is the Creed or Confession of *Athanasius* any more than what these sayings import? I judge not the Heathen World, and yet I believe these sayings to be true, with many more to the same purpose. And I wish the Non-Conformists to consider the Assemblies Confession, Chap. 10. Of effectual Calling, Art. 4. Their words are—
 ‘Such as have but some common operations of
 ‘the Spirit, and never truly come unto Christ,
 ‘cannot be saved: much less can men, not professing the Christian Religion, be saved in any
 ‘way whatsoever, be they never so diligent
 ‘to frame their lives according to the light of
 ‘Nature, and the Law of that Religion they do
 ‘profess. And to assert and maintain that they
 ‘may, is very pernicious and to be detested. So
 they. And besides the Scriptures before-named
 they produce many more, *Joh. 17. 3. Joh. 4. 22.*
Eph. 2. 12. 2 Joh. 9, 10, 11. Gal. 1. 6, 7, 8. And
 Mr. *Baxter* highly approves of, and offers to subscribe this Confession, though he says he doth not hold the Truths therein with equal clearness, confidence, or certainty, and some few points in it are beyond his reach: yet he observes nothing in it contrary to his judgment, with the allowance of some Expositions there set down, but says nothing at all particularly of this clause, Confession of his Faith, *pag. 20.* I hold the Doctrine of *Athanasius*’s Creed, and yet I do not hereby judge the Heathen World. I doubt not but in every Nation he that feareth God, and worketh righteousness,

teousness is accepted of him : and that the eyes of the Lord run to and fro throughout the earth , to shew himself mighty on the behalf of such as be upright in heart, 2 *Chron.* 16. 9. *Act.* 10. 35. And I believe *Athanasius* and the Assembly meant no other.

2. Some may think, that by the Creed of *Athanasius* we sentence all the *Arrians* for damned , and all such weak Christians as have not a clear explicit belief of the points of his Creed. But as to these latter , I think none will judge so hardly of *Athanasius*. A man may have a true practical belief, perception, and understanding of the Doctrine of the Trinity, and Christs Person and Office , and the Mysteries of Salvation , and be saved by it , and yet it be but weak, and mixed with much darkness, and not without some error. The last clause of the Creed is , *This is the Catholick Faith, which except a man believe faithfully, he cannot be saved.* Now a man may believe the Faith explained in this Creed faithfully, truly, and sincerely, and yet weakly, and perhaps staggeringlingly, and stick at a word or two. For words as such are no part of our Faith, no not the words of Scripture, but only the sense imported by those words. And the same Faith or Doctrine may be variously worded, and all come to one sense. And the meaning of *Athanasius's* Creed seems to be plainly this , There is but one Faith held by all faithful Christians , *Eph.* 4. 5. expressed in the Scriptures at large , summed up in our baptismal Vow , believed by all the Churches , of which *Athanasius's* Creed is a most excellent explication, not that it is Scripture or equivalent to it. It was

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far from that holy Man to make new Scripture. It is but a concise and sound and excellent Explication of the Christian Doctrine set down in the Scriptures. As for *Arrius* and his Adherents, *Athanasius's* Creed says nothing expressly, and by name of them. Either they denied the Divinity of Christ, and dyed in their error, or not. If yea, who will say they are saved? Certainly to make Christ a meer creature, though the most excellent of creatures, is to make a new Gospel, which who so does is accursed, *Gal.* 1. 6, 7, 8. If not, the Creed of *Athanasius* doth not touch them. As for the clause of one substance, and the word Trinity, Person, Unity, Substance, our Divines do generally hold and shew, That these expressions are all sound, and are either explicitly, or by implication and near immediate consequence in the Scriptures, and are as fit and suitable expressions wherewith to express these Mysteries as any can be found. But I do not sentence all for damned that do not embrace and consent to every word and tittle of humane explications. Nor do I think that was the meaning of *Athanasius*. I could wish both he and the Nicene Synod had contented themselves with the Scripture-Creeds, or the words of Scripture soundly translated. But I say again, that no words are my Faith, words are but the veins, the sense or matter contained therein is my Faith. And I see it ordinary for Divines to wrangle more about words than matter, and to be most agreed where they seem most to differ, and to hereticate one another for a word, when yet both of them may be sound and orthodox in their judgments, and mean soundly.

But

But it is one thing to mean soundly, another thing to speak aptly. God hath given to many, sound judgments and godly meanings, unto whom he hath not given the art and skill of right-wording their meanings, and cloathing their conceptions with apt and meet expressions. And this is my judgment of this weighty point in Conformity, which whether it will warrant to say, I unfeignedly approve the use of *Athanasius's* Creed, and consent to all and every thing therein, or to the reading thereof so often as the Liturgy appoints, I leave to others to judge. I shall not judge either those which do conform, or those which do not in this point.

S E C T. VIII.

Concerning those words, It is certain by Gods word, that Infants which have been baptized, dying before they commit actual sin, are undoubtedly saved.

I Have seen a Manuscript of the late most eminent Dr. *Usher*, wherein he intimates as if this clause at first came into the Book surreptitiously. Many Conformists say it is no part of assent and consent, because it is never used as any part of the Church-service, and they subscribe to no more. But admit it should be, may not an honest man say, This clause soundly understood according to the Doctrine of the Church of *England*, contained in the Articles, and Homilies, and Catechism, and Office for Baptism, I assent to? Such a form of

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of subscription I can and shall give many instances of by the best Divines of the Reformation. If there be any seeming variance, it seems more equal to reduce this by-clause standing in a corner by it self, never used as a part of Church-service, to that which is by all sides confessed to be the main Standard of the Doctrine of the Church of *England* under and with subordination to the Scriptures, than to make this a test of Doctrine by it self, and reduce all the other to it. It is more than I can or will say, that any Infants baptized or not baptized are damned. And it is more than I can prove that all Infants are saved. It seems certain to me from Gods Word, that to all that are duly baptized, and have right thereto before God, Baptism is a Seal of Forgiveness and Salvation. But I cannot say that it is so to such as are not duly baptized, and have no right to Baptism before God. For I cannot see how bare words and washing can give right to Salvation, *Mar. 16. 16. Act. 22. 16. Heb. 10. 22. 1 Per. 3. 21.* If Parents and Undertakers do their part, or any one person as a Parent, Adopter or Pro-parent, for the Infant, I doubt not but God will do his part, and that nothing shall lose any person Salvation, but either his own sin and impenitency when come to years, or the viciousness and carelessness of the parent, Surety or Pro-parent while it is an Infant. And I am not able to say but that this may well be the sense of the Church in this clause. Mr. *Baxter* in his *Ecclesiastical Cases* thinks it convenient, that we say of all that have right to Baptism before the Church when they are baptized, that they are regenerate, the same as the Church.

Church-Catechism says, *A Child of God, a member of Christ, and an inheritor of the Kingdom of Heaven.* I think none of all the race of *Adam* shall perish merely and solely for the first sin of *Adam*. And I take it to be certain from Gods Word. And that Baptism rightly done is not an idle Ceremony, but a Seal of Salvation conditionally both to the Adult and to Infants. I say conditionally, in case the party baptized if Adult, or the Parent or Surety for him while an Infant, do not by after-wickedness and rebellion deprive himself of the Right and Privilege which sometime he had, and thereby forfeit it to himself and his. For I conceive that there is as true a necessity of continuing in a pardoned state by a continued performance of the condition of Salvation, as there is of first entering into a state of Pardon and Salvation, by all persons both Adult and Infants. But of these and many more doubts which may arise upon points in Conformity, I shall before I have done exhibit to the Readers view a kind of Catholicon or universal Remedy very much for the advantage of Conformity, and so obvious and clear, as I suppose the moderate on both sides, and all that be impartial cannot but greatly acquiesce in. I only add one word more particularly, that where Baptism cannot conveniently be had, and is deferred not out of contempt or careless neglect, but the child dies by surprise before it can well be baptized, I doubt not but the state of the child is the same as if it had been baptized. For God will have mercy rather than Sacrifice.

S E C T. IX.

Concerning those words, It is requisite that none come to the holy Communion, but with a full trust in Gods Mercy, and a quiet Conscience.

CAN it be reasonably thought, that the Church by these words meant to set the Standard of the Sacrament so high, that the greater number of godly people should not be able to reach it? Surely no. Their meaning must needs be, That all that come to the Sacrament, have so much trust in God and quietness of conscience as will serve them to come with safety for the better, and not for the worse: but not to bar from the Sacrament honest weak Christians, who must go to the Sacrament for strength, and comfort, and quiet. Their meaning is plainly intimated to be this, That such as need particular advice from the Minister, and resolution in cases of conscience, and lye under perplexing fears and doubts, which might hinder their safe or comfortable communicating, shall repair to their Pastor for counsel and satisfaction, that their doubts being removed, they may come with so much measure of trust and clearness, as is ordinary and sufficient for their safe communicating, and that such as cannot safely communicate, forbear.

S E C T. X.

Concerning the *Apocrypha*.

THese reasons prevail with me to think it lawful to read the *Apocrypha*. 1. There is nothing of the *Apocrypha* appointed to be read on the Lords days. 2. The most eminent Non Conformists think they may be read sometimes: and if sometimes, I am perswaded it is better to read them so often as the Book orders on the Week-day, than be silenced. 3. Learned and godly Divines have taken great pains to translate them, and they are much revered by the Church, in that they are bound up in one Volume with the Bible, which is a proof that the reading of them may be useful and profitable. 4. The fifth Chapter of *Tobit* seems to be left out. 5. A Minister may in his Congregation in preaching or otherwise sufficiently notifie to the people the difference between the Scripture and the *Apocrypha*, and warn them when it is that the latter will fall in course to be read, and that they put a due difference between it and Scripture: so that no harm can come to the people. 6. If any thing in it be fabulous, it may be read as a Parable, and be instructive. I have heard many a grave Divine cite passages out of *Esops Fables*. 7. I think it better to read Scripture wholly and constantly on the Lords days, and most the Week-days, and Scripture, and some *Apocrypha* on some days in the

It is more than I know or can prove, that there is any thing false in them.

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the Week, than to do as many of the Non-Conformists, who in many years time have not one Psalm or Chapter of Gods pure Word read in their Assemblies, and the reading of the Scriptures is wholly left out of their Assemblies, contrary to the practice of all the Churches of God, and to the grief of their godly Brethren, and the scandal of others.

S E C T. XI.

“Touching the Order for saying Morning and Evening Prayer, either privately or publicly, not being let by sickness, or some other urgent cause, So also for that which follows about reading Prayers in the Church or Chapel by the Curate, if he be at home, and be not reasonably hindered, and giving Warning to the Parishioners by the ringing of a Bell.

ONE of the holiest persons that ever I read of, had constant Morning and Evening Common Prayer in her Family done by her Chaplain, and that was the Countess of Falkland, as the Writer of her Life records. She lived in the time of the late King Charles. The matter is, if a conscientious and holy man may not submit to obey this order in the very letter of it, favourably and gently construed according to the due meaning thereof; with its restrictions and exceptions. I do not see but he may. For the Order doth not bind him to read Prayers in private or publick, when he is sick, when he is constrained to be from home,

home, when he is reasonably hindred, and letted by urgent cause. I see nothing in this Order but what may be observed honestly and faithfully by a godly man, both publickly and privately. I could name a great many urgent causes and reasonable impediments which in many Families will hinder the reading of Morning and Evening Common Prayer in the Families, and also in publick too, which do come within the reason of this exception. And I could name many things which to many Ministers are no just impediments. So that upon the whole matter I see nothing but what a conscientious man may both promise and perform in this matter, rather than be silenced. It is one thing what I would do, were I left to my choice, and another thing what is best to be done to save my life or liberty, and purchase a great good by submitting to a tolerable inconvenience.

S E C T. XII.

Concerning Prayers at the Burial of the Dead, three sorts are excepted, the Unbaptized, the Excommunicate, and such as lay violent hands upon themselves, we must not read the Prayers at their Burial.

THis is no excluding of them from Salvation. The Church doth not hereby say that the Unbaptized, and Self destroyers, and such as be cast out of the visible Church by Excommunication, and die before they are authoritatively loosed, are damned. It may be a temporal visible corrective

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corrective Church-penalty ; and that is all it can be. Non-Conformists do hold, That till persons be baptized, they are not Christned people in the full sense, and yet they may be in a state of Salvation. The reading or not reading of the Prayers doth nothing profit or damnifie the dead. And if they be read at the Burial of some and not of others, and there is reason for the difference, the order is not unlawful in it self, it may be submitted to rather than deprivation.

But the great Objection is the pronouncing our hope of all the rest that die being saved. But in my apprehension the Church-Canon doth sufficiently provide against that. I grant it cannot without great and horrible sin be said of all that die, except the Unbaptized, Self-killers, and such as be outwardly Excommunicate by the Bishops Court, *I hope this mans Soul is in Heaven.* The Church-Canon 68. saith, *If the party deceased were denounced Excommunicated majori Excommunicatione for some grievous and notorious Crime, (and no man able to testifie of his Repentance) the Prayers are not to be said at his Burial.* Though the Church-Canon be no part of the Liturgy, yet I may well make use of it for the uphold of the Liturgy, and the just exposition of it, but not against it. Now the sense and clear meaning of this Canon seems to be, That if the deceased party was a notorious Sinner, and for ought that any man can testifie, he made no visible Repentance, the Prayers are not to be said at his Burial, though he were not actually excommunicate by the Bishops Court. For the outward Excommunication is but a Ceremony. It cannot be done to all that deserve it.

Whether

Whether he be excommunicate or not, that is not the point; but his vicious life, and gross unrepented sin. This is the reason and foundation of the Canons excluding him from Christian Burial. So that by the Liturgy soundly expounded, we are to say these Prayers at the Burial of none but such as we may with a good conscience pronounce our hope of. Such as die in notorious sin, and no man can testify of their Repentance, are excepted. And it is the Minister who is to read the Prayers, unto whom the Testification must be made, and not the Bishops Chancellor. And therefore to such as say, *Exceptio firmat regulam in non exceptis*, I grant it: but withal say, *That ratio est anima legis, and ubi eadem ratio, ibi eadem lex.* The Canon by just interpretation excepts such as die in notorious sin, whose Repentance none can testify: otherwise the reason and scope of the Canon is perverted, and violence is done to the true sense of it by a rigid interpretation. I assent and consent to pronounce none saved, but such as to my self or others have given credible signs and testifications of their Repentance and Godliness; and for whom I have something for and nothing against, or more for than against. If any person be unjustly and for no fault excommunicate, all Divines hold the Excommunication to be void. For nothing is bound in Heaven, but what is duly and validly bound on earth. And if any Non-Conformists be unjustly excommunicate, and die so, it is no great matter if the Prayers be omitted. For many of their Relations use to be against the reading of the Prayers, where they did not actually and sententially excommunicate.

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communicate. *Object.* If you say, that by not reading we exclude them from Christendom. *Answer.* I deny it. For if the Sentence of Excommunication were causeless and unjust, and proceeded *Clave errante*, no man is bound by it. And yet I may in prudence, and to preserve my liberty, materially omit to read the Prayers, in such sort as I might have done, if there had been no Law. The most you can make of it is but a shew of evil. But a shew of evil may be done to avoid real evil. My omission may seem as if I owned an unjust Excommunication. But it is but a seeming so, the evil whereof may be compensated by a far greater good. And consequently all is well and safe in Conformity as to this.

SECTION XIII.

Treating the Order for Confirmation.

Mr. Baxters Treatise of Confirmation, pag. 206, 207, 208, 209, 210, 218, 219, 220, 221, 222. And he intimates, that the Canons allow the Bishops Suffragan to do confirmation. Upon search I find it so in Canon 60. The main work lies upon the Parish Minister, which he may do if he will. And if the Bishop please he may do it.

I May spare my labour in this. For the most eminent Non-Conformists have well pleaded the Cause of Conformity in this. I do grant, that the whole matter of Confirmation doth of right appertain to the Parish Pastor who is set over the Flock, as well as Baptism and the Lords Supper do. But while the substance is referred to the Parish Pastor, the shadow or Ceremony may for concord

concord sake, and to enjoy peace, be allowed to the Bishop. Let the work be soundly done according to the rules of the Common Prayer Book soundly understood, and it is less matter who does it. If it be not done, or be done in form only, that is no fault of the Book. The rule is good and tolerable, if it be but faithfully observed, as in may, if all sides do but do their duty, and join the life and form together. If the Parish-Pastor be a man of wisdom and fidelity, whether Confirmation by the Bishop be done or no, he may make good shift for his people, and substantially edify them. And if the Bishop shall substitute Suffragans to do his part in Confirmation, if his Diocess be too large for himself solely to go through, I know no word in all the Liturgy and Canons which be against it.

SECTION XIV.

Concerning that Order which says, That none shall be admitted to the Communion till he be Confirmed, or desirous and ready to be Confirmed.

THE main exception here is, that we must not give the Sacrament to those honest non-conforming Lay-people, who cannot submit to Confirmation by the Bishop in the English way. It is to be supposed, that Confirmation is not intended for them, who have been already admitted to the Lords Table. Such are past the Ceremony of Confirmation. And for others, if they do but desire it rather than be bar'd from the

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Communion, and expose themselves and others to much evil, it is enough. I am perswaded I shall not meet with one person, that will not desire it rather than be put from the Sacrament. And therefore I will not for so small and uncertain a hazard to one, expose my self and a whole multitude to apparent great evil. Such a remote possibility shall not keep me from Conformity against a probable certainty, or certain expectation.

S E C T. XV.

Touching the Use of God fathers and Godmothers, and putting Interrogatories to Infants, and others answers for them and in their Name, and the Liturgie-Forms in Baptism.

Perhaps this may be one of those things which Mr. Calvin calls tolerabiles inepriae.

1. **I**T may be doubted, how can Interrogatories be put to Infants, and others answer in their Name? To which it may be answered, That if it be an unfit and unusual way of expression, it is not intolerable. It is no lye. For words are as they are meant. The scope of the matter is to oblige Infants to God, and enter them into his Oath and Covenant. If this way of expression be not so apt and congruous as some other, when a better cannot be had, this may be submitted to. It is not to be doubted, but that hereby a due bond is laid upon the Infant against he come to age.

2. It may be demanded, How can any one say for

for the Infant *I do believe, and I do renounce Satan*? Can Infants actually believe and repent? It may be answered, In the same sense in which they are said to be holy, *1 Cor. 7. 14.* they may be said to believe, repent, renounce Satan. They do all this by their Parents and Sureties. And it is all one whether you say the Parents believe and repent for them, or they by their Parents. There is no middle between holy and unholy, a child of God and a child of Satan, penitent and impenitent. An Infant King is a King, an Infant Saint is a Saint. *There is both a profession for the present, and a promise for the future.* If the Infants had understanding they would speak for themselves. Being naturally incapable, some must do it for them: and it is all one as if themselves had done it.

Q 3: How can it stand with reason to exclude the Parent, and cast the whole professing and covenanting part upon Sureties, who claim no propriety in the child? The Parent is not excluded. The Liturgy doth not expressly say he shall be present, and do his part: But it doth not forbid him. He may be present if he will, and profess and covenant for his child: yea the Minister may and ought to urge and require him. I know the Church Canon says he shall not be urged to be present, nor be admitted to answer as God-father for his child. But the Church Canon is no part of the Liturgy, nor are we bound by it wherein it is against the Liturgy and good order. And yet Mr. Baxter in his Ecclesiastical Cases does well take notice, That the reason of that Canon seems to be their jealousy, lest Ministers should

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exclude God-fathers. The Canon doth not forbid the parent from being present. He may be if he will, and signifie his consent by bowings. The Canon meant not to exclude the parent: but supposing the parent as present or consenting, and as principal all along, to require Sureties besides, as two strings to one bow. The Sureties are not there of their own head, but by the will and procurement of the parent; and if they as his Deputies and Representees shall see to have the child baptized, and covenant so far as they can, it is not the parents being absent that will hinder the honesty and validity of the Baptism. Nothing can disoblige the parent from doing the duty of a parent. The Sureties undertake not to do the duty of a parent, but so much as honestly they can. The parent is a Surety for the child in a large sense. And the God-fathers and God-mother be Sureties in a strict and narrow sense for so much as they can do. And if the parent be present, as he may well and ought to be, the Priests charge or exhortation may be spoken to him and the Sureties all under one, and fit them all: and *reddenda singula singulis*, every one is to take out his proper part. The parent he must be responsible for a parents part. The Sureties they must undertake no more than they can honestly perform, and so much they may. If the work be done, whether by Principal or Sureties or both, and the child be well educated, the bond is performed. The Book doth not say, You Sureties, excluding the parent, shall be sole Undertakers for the child, and do the duty of a parent or pro-parent to it. But supposing the parents part, which

which nothing but death can dissolve, you also as Sureties shall moreover add and do what you can towards the good education of the child. On the one hand it cannot well be supposed, that the Liturgy-forms do intend to oblige the Sureties to more than they can well and honestly do; on the other hand so much as an honest and conscientious man in his place and calling can well do, they do intend that he shall do, and be obliged so to do. The Canon provides, that none shall be admitted to be God-father and God-mother, who hath not been at the holy Communion. And consequently they should be orderly and serious Christians, or there should be none at all. It is but reason that Church-forms be fitted to the good and honest, rather than to the vile and worst.

04. Is it the intention of the Book, that we deny Baptism to such as cannot procure God-fathers and a God-mother, or to such as out of conscience scruple and refuse to procure such for their children, and had rather stand as sole Undertakers for their Infants? No surely. All sides are to go as far as they can in the observance of humane Rules and Commands. If it be lawful to violate a Divine Command, to wit, that for the Sabbath, to save the life of a beast, and much more of a man: sure it is lawful to violate a humane Rule or Order, rather than cast Infants out of the Church, and deny them Christian Baptism and the token of Gods Covenant. Queen Elizabeths interpretation of these matters you may see in the Preface to the Articles, *An.* *Disput. Sparrow*
1504. By assent and consent *Collection.*

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“ of the persons before said, these Orders and
 “ Rules ensuing have been thought meet and con-
 “ venient to be used and followed: not yet pre-
 “ scribing these Rules as Laws equivalent with the
 “ Eternal Word of God, and as of necessity to
 “ bind the Consciences of her Subjects in the na-
 “ ture of them considered in themselves, *but*
 “ as temporal Orders meerly Ecclesiastical, with-
 “ out any vain superstition, and as Rules in some
 “ part of Discipline concerning Decency, Dis-
 “ cipline, and Order for the time. Of the same
 nature and import are the words of the Preface
 before the Common Prayer Book. That is an
 unrepealable Maxime: *God will have mercy ra-*
ther than sacrifice. Summum jus est summa injuria.
 The rigour of the Law is not Law, but the exten-
 sion and corruption of Law. This is not to be a
 Judge of the Law, or a Law maker, but an ho-
 nest obeying of the Law equitably meant. As it
 is sin to make a false subscription, so it is not no
 sin to make a false construction, and imagine that
 to be the Speakers meaning which he never
 meant. *Charity thinketh no evil.* The Liturgy alloweth of
 private Baptism, yea com-
 mandeth it in case of necessi-
 ty, and where the Infant is in
 danger of death, without either
 God father or God mother,
 and without the use of the
 Cross. Now this renders the
 former interpretation more likely and probable.
 It is true indeed, if the child baptized do after-
 wards live, the Book says it is expedient that he
 be

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be brought to the Congregation, and his Baptism be openly certified, and the Ceremonies of God-fathers and the Cross are prescribed. But this doth hint the Churches meaning to be that in the cases aforesaid, when we must either deny Baptism to such as be worthy, or meekly forbear to observe the precise letter of humane Orders, not in any contempt, but in a case of necessity and due mercy, it is not required of us that we prefer sacrifice before mercy, and humane Orders above Gods eternal Word. And what is said as to the forbearance of God-fathers and God-mothers, where they cannot be had, holds good also as to forbearing the use of the Cross at the instance of a scrupulous Parent, and the giving of the Sacrament to such as are free to sit or stand, but not to kneel, and the rather because the common practice is so. And *lex currit cum praxi*, practice is a good Expounder of the Law. Bishops themselves do know and allow of such cases. And all Writers upon humane Laws do reckon many things to be *casus omisi*: and by an equitable interpretation expound the Law contrary to the letter of it, as in the case of the Sabbath. For it is not the letter of the Law which is the Law, but the just and true meaning of the Law. And there is a sober mean between lax and rigid interpretation, which is just interpretation.

S E C T.

S E C T. XVI.

Touching Kneeling at the Lords Supper.

WERE I left to my choice, my usual gesture should be sitting, and sometimes to stand, and sometimes to kneel; to signifie that I think none of them simply unlawful, though considered in themselves I think sitting best upon many accounts. But rather than be without the Sacrament, and seem more holy than others by causeless separation, and yield to be silenced, I think it my great duty to kneel and be thankful. And I think those that are so extreme precise for the gesture in the Lords Supper, and condemn kneeling as Idolatry because of the Papists, and do not proportionably regard what gesture and external reverence they use in reading and hearing Gods Word, Prayer, Praise, Confession of Sin, and in a word throughout all other the parts of Gods Worship, are partial Expounders and Observers of Gods Law, and do fall into the same sin themselves which they condemn in others, which is Bread worship, and an adoring or too high esteem of the external Elements. For while they do tax kneeling as Idolatry, and allow themselves and others to be indecent and irreverent in other parts of Gods Worship, superiour to the elementary and carnal part of the Lords Supper, what do they but interpretatively stick in the letter or shell of the Sacrament, and give too much to outward Bread and Wine by sitting? A man may do worship to a person or thing sitting. Sure

I am, that preaching and hearing Gods Word, and Prayer, and Praise are in themselves more excellent Duties, more near to the Soul and to God, and more necessary to us, than the carnal part in the Lords Supper; as mercy is above sacrifice. And the Conformists who do innocently use the gesture of kneeling in the Sacrament (with protestation against the Papists idolatrous use of it) in peaceable obedience to their Governors, and because they will not offend the Congregation, nor deprive themselves of the benefit of the Sacrament by not kneeling, and such other honest reasons, are more free from evil and Idolatry, than those rigid persons who make sin where God makes none; and are precise for a gesture in a less principal part of Gods Service, and rather lax than precise for gesture and external reverence in the more principal parts of Gods Service, and are contrary to the judgment and practice of the most eminent *Non-Conformists*, whose reasons for kneeling are not easily answered. *christian Directory, part 2. pag. 120.* And I reckon it as one of the diseases of these later times, that even by godly Ministers and people a great many too much is given to the outward part in the Lords Supper, and too little to other parts of Gods Worship more excellent and necessary, and an undue odd and disproportion is made between other Ordinances of God and the Lords Supper, to the Ceremony and external part, which I cannot but think is a hardening both to the Quakers on one hand, who quite deny and evacuate the outward Ordinance, and to the Papists on the

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the other hand, who make a God of it.

As for such as think that Conformity obliges Ministers to give the Sacrament to none but kneelers, they are answered before; and more might be said to warrant the giving of it to godly, inoffensive, peaceable sitters, even from that very Canon, which Non-Conformists urge. For the scope of the Canon is against Schismatics and Depravers of the Liturgy: but there are multitudes of peaceable conformable people, who yet do dissent in the gesture of kneeling, but with great meekness and moderation, not judging those that kneel.

S E C T. XVII.

Touching the Use of the Cross in Baptism.

I Think it is but reasonable to reduce what is said touching this matter in the Canon, and in the Order or Preface before the Liturgy touching Ceremonies, to what is contained in the thirty nine Articles, and the constant use of the Cross by the prescript rule of the Liturgy in these words: *I do sign him with the sign of the Cross, in token that hereafter he shall not be ashamed to profess the Faith of Christ crucified, &c.* We are not to think that they meant to contradict themselves, who thought but to expound the use of the Cross, not to make the thing worse, but rather better; and if any incautious word be used in way of explication or defence of the Cross as a simple and allowable Ceremony, such words by a just and equal

equal interpretation are to be favourably construed to make for, and not against the use of the Cross, according to the words in Baptism, which in this case are the true Rule or Standard by which to judge of the nature, use, and end of the Cross.

2. Taking then the use of the Cross in the words of the Common Prayer Book at Baptism, I think it may be justly used and consented to as lawful, or that which cannot be proved unlawful. It is better than deprivation.

3. I argue from the Principles and Concessions of the *Christian Directory, Ecclesiastical Cases, quest. 113.* most eminent Non-Conformists, who do allow the use of the Cross as an arbitrary professing sign before a Heathen out of Baptism, as a signification equivalent to words that I am not ashamed of the Cross of Christ. By granting this they seem to grant the cause. And that is proved by their two main Reasons against the Cross. 1. That it seems to be a breach of the second Commandment. 2. A new Sacrament, or very near it.

4. Now if the use of the Cross, as a token that I am not or shall not be ashamed of Christ crucified, were one of those things prohibited in the second Commandment, it were at all times and in all cases unlawful. For the second Commandment to us Christians is only a Transcript of the Law of Nature, and obligeth us upon that account, forbidding the idolatrous use of Images, as well in private as in publick, in one case as well as in another. But the Non-Conformists grant there is a lawful use of the Cross as a professing

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felling arbitrary sign out of Baptism, in token I am
 not ashamed of Christs Cross. Either therefore
 that which they allow is Idolatry, and condemned
 by the second Command, or by their own Princi-
 ples, it is no breach of the second Command to
 use it as the Church of *England* does in Baptism,
 that is, as an arbitrary professing sign.
 ¶ 5. Their reason that it seems like another Sa-
 crament, makes against them. For if that were
 so, it would be universally unlawful. No man
 may make a new Baptism, or any thing equiva-
 lent to it. If the Cross were such, then the do-
 ing of it, as you allow, would be an invading of
 the Office of Christ. If Baptism had not been
 ordained by Christ, it had been traiterous and
 sinful to have used it as a Sacrament in private,
 in any place, to any person or people. But you
 allowing a just and lawful use of the Cross out of
 Baptism as a professing sign or token, do thereby
 invalidate all your own reasons against the
 Church use of it in Baptism as a professing sign.
 ¶ 6. As to your *Simile*, that Baptism is Christs
 Colours, and no man may put forth the like. It
 might be answered, That it is but a *Simile*, and
 can conclude nothing solidly and argumenta-
 tively. But if there be any weight in it, it makes
 against you. For no man will deny but that it is
 lawful for a private Soldier to wear those Colours
 in the Troop or Company which it is lawful to
 wear out. You liken Baptism to Christs Co-
 lours. So do I, and grant, that no man may
 make the like. I deny the Church use of the
 Cross to be the like. Your Concession is my Ar-
 gument. For you allow the use of it in private
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and out of Baptism. Now say I, it is not unlawful for a Trooper to wear that in his Hat in the Troop, which he may do out, unless particularly forbidden by his Captain or General. And it lies on your part to prove a particular command of Christ prohibiting the Church-use of the Cross in Baptism, which you can never do. Mr. Baxter wishes to distinguish between a private or arbitrary act of profession, and a common publick Badge and professing Symbol of our Religion, thinking that the instituting of the latter belongeth to God only. But will he also please to shew what difference there is between one and the same arbitrary act of profession? The best of our Divines, as Mr. *Vines* in his Treatise upon the Sacrament and others, do hold, That it is an error or extreme in the Doctrine of the Sacraments to hold that they are but bare names, or naked empty signs, as the Picture of *Hercules* is of *Hercules*. The use of the Cross in Baptism is only as a bare professing arbitrary sign: and it is but one and the same arbitrary act of profession which is made by the Cross in Baptism as out of Baptism. The doing of it in Baptism doth not make it a new act, nor alter the nature of the thing. There is indeed less need of it in Baptism, and the use of it is not without some inconvenience: but another act of profession it is not than what he himself doth allow out of Baptism. And in this he distinguisheth too nicely, and cannot evade the dint of his own reasons and concessions against himself.

17. As for that general Command against adding to, or taking from the Word of God, *Dur.*

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12. 32. do but read and weigh the words impartially, and you will find they concern not only Gods immediate Worship, but even the whole Duty of man, and the Government of the Family and Commonwealth, as well as the Government of the Church. And if you grant it no addition to Gods Word to use the Cross as a professing arbitrary notifying sign out of Baptism, you can never by this command of God prove it a sinful and forbidden addition to use it in Baptism, as you do use it out.

8. As for that Text, where God blames them for setting up their post by his posts, *Ezek. 43. 8.* I answer, The words are a similitude, and till the naked sense or matter be opened and resolved, nothing can be solidly concluded against the Cross. It is lawful in various cases to set up mans post by Gods, as in that speech, *The sword of the Lord and of Gideon.* Things subordinate do well consist. And that may not be simply unlawful, which upon many accounts is inconvenient.

9. The practice of the ancient Christians, the judgment of our most famous foreign Divines set down in *Mr. Sprint's Cassander Anglicanus*, the judgment of the Church of England, and of most holy and eminent Divines therein, together with their practice, and many of the Non-Conformists, and the moderation of those of them that are not free to use it, and yet dare not, will not pronounce it simply evil, together with the Laws and Injunctions of Church and State, are in my weak opinion, and to such Punies as my self, no contemptible argument.

10. One of my mainest Arguments for it in
 case

case of deprivation, taking in the Concessions of the Non-Conformists; and the civil use of the Cross, which none will deny, is that which the Impugners of the Cross do argue most from; and that is the words of Christ in founding Baptism: *Baptize Christian Souls in or into the Name of the Father, the Son, and the Holy Ghost.* There is no man can deny, but that I do obey the letter of the Command. Christ bids me baptize so and so, and I do so. He does not expressly command me to use the Cross, nor doth he forbid me. The Non-Conformists grant, either before Baptism or after Baptism, to a scoffing Heathen I may use the Cross privately. Suppose I do baptize privately, and use the Cross, a Heathen being present, as he may, do I err then? Can you say that I do not obey Christs command? Can you prove to me, that it is the will of Christ that I should rather lose my life and my liberty, than use the Cross in Baptism, as you think it may be used on? The Law of Baptism cannot abrogate the Law of Nature, and it cannot be thought that Christ meant to exalt the external part in Baptism above the Law of love and mercy. He himself hath plainly taught, *I will have mercy rather than sacrifice.* It is great mercy to the Magistrates soul to prevent him from silencing and doing violence to the Lords Ministers: it is great mercy to the peoples souls to have an edifying peacable Ministry. I owe malice and ill will to Satan, and honest self-love to mine own soul. If I can obey Christs command in the letter of it, and by comparing one place with another, his own words in one place with his own words in another, may

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groundedly

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groundedly gather that it was never his meaning to abrogate the Law of Nature, and make that to be simply unlawful in Baptism, which all sides confess to be lawful out, and to exalt sacrifice above mercy, I may well think the Cross in Baptism is not simply unlawful.

12. There are other ways of speaking than by the tongue and words. A man may speak with his feet, and teach with his fingers, Prov. 6. 13. A man that is dumb must needs make use of signs, and signs must needs be used to him, as were to Zechary, Luk. 1. 62. Peter beckoned unto abith with the hand to hold their peace, Act. 13. 17. So did Paul, Act. 21. 40. This stone, saith Joshua, shall be a witness unto us, for it hath heard all the words of the Lord which he spake unto us: it shall be there for a witness unto you, lest you deny your God, Josh. 24. 27. The manner in old time in Israel was, concerning redeeming, and concerning changing, for to confirm all things: a man plucked off his shoe, and gave it to his neighbour, and this was a testimony in Israel, Ruth 4. 7. I do set my bow in the cloud, and it shall be for a token of a Covenant between me and the earth, Gen. 9. 13. The sign of Circumcision, Rom. 4. 11. Deut. 22. 12. Thou shalt make thee fringes upon thy vesture, that thou mayst look thereon, and remember all the Commandments of the Lord, and do them, Num. 15. 38, 39. So that clearly there are besides words and speech instituted and arbitrary signs, both Divine and humane. Humane signs are various, there are decent and indecent, there are grossly mimical, obscene, and ridiculous signs. The Cross is no indecent humane sign. It is licensed by the Law of Nature, which Christ came

came not to abrogate, but to fulfil and establish.
Unto the pure all things are pure.

13. I do not say with some, that the Cross is a perfecting meliorating sign. I think if Governors were so minded, Christs Institution is best without the Cross. Baptism cannot be better than by being plain and simple, and left to shine by its own glory. I my self have scrupled it, though I never durst say it is flatly unlawful, nor separate upon that account. It is a sign of a weak and childish mind to dote upon such trifles, as it is for children to cry for a Rattle, and prefer their Baubles before an Inheritance. But wise Parents think it no folly to please their children with baubles. And he was no Novice who said, *I please all men in all things.* It is enough to justify the cause of Conformity, that the thing in it self is lawful, and a decent, humane, allowable Rite, forbidden by no Word of God either in Baptism or out; and while we assent and consent not to the imposing of it, especially not under such a penalty, but only to the use of it in an honest and fair sense, it is our duty to use it, and we sin if we do not, rather than be silenced. The external part in Baptism is not so excellent as Prayer and Preaching, Thanksgiving, confessing Gods Truth, Repentance, and universal Piety, Justice, and Charity. And consequently the addition of the Cross in Baptism is of less defilement to the Soul therein, than in those Exercises of Piety, Mercy, and Justice, which are superior to the carnal and Ceremony-part in Baptism. This is no twisting of Divine and humane stuff, or a compounding of wine and water: but giving to

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God his due, and honouring his Institution by honest performance, the Law of Nature, of prudence, and charity step in and say, having duly pronounced the words in Baptism which be essential to the Ordinance, and done the washing part with antecedent Prayers, Praises, and Stipulations; it is your duty to use this simple Rite of the Cross, not as an admixtion to and with Baptism, not as twisted with it, but as a separable thing, not evil in it self, but as lawful here as in Preaching, Prayer, Almsgiving, and confessing and professing Christ before a Heathen, and therefore a duty in case of deprivation. See and consider that notable case of the Israelites Altar, *Josh. 22. 10.* to the end of that Chapter.

14. Would it not be deemed a bold and presumptuous act for any man to add to the Kings Picture? Yes it would: but no man thinks it overboldness to hang another Picture by the Kings Picture. It is done both in Inns, and Ale-houses, and private Houses, and Churches too. I deny that the Cross is any thing simply repugnant to or inconsistent with Baptism. The Papists idolatrous use of it proves not that therefore it may not be used in a good sense and to a good end.

15. There is this good comes by the use of the Cross in Baptism with us. It is a part of Gods Truth, and all truth is precious, though not all alike precious. It shews the due use of Christian liberty. It pleases our Governours, and many of the people, and we are bound to please all men to their edification. It is a sign or token to us not to be ashamed of the Cross of Christ, but manfully to fight under his Banner against Sin,
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the Non-Conforming Conformist. 5.

the World, and the Devil, and to continue Christs faithful Souldier and Servant to our lives end. It will one day rise up in judgment, and be a witness against all the hypocritical and ungodly, who now are zealous for the Cross as a Ceremony, and cannot endure to imitate their crucified Saviour, they do rather fight under the Banner of Satan, the World, and Sin, against Christ and his Saints, against Holiness, Meekness, and Love. The Cross in Baptism as *Joshuahs* stone, *Josh.* 24. 27. will be a witness against them all. Moreover it teacheth us the true mean between those on one hand that adore the Cross, and those on the other hand that call it Idolatry to use it in Baptism, and flee from it as from abomination. *Wo to them that call evil good, and good evil.* It is a means of Ministers liberty, and in that to them and the Church as therein concerned a means of great good, and those Non-Conformists who are not free to use the Cross, are yet glad for the Churches sake when good and godly Ministers can use it. But as it is a stumbling-block to honest Ministers and people, an Engine of strife, violence, and silencing of Gods Ministers, who are not free to use it, and as it is a thing that might very well be forborn, and better omitted than used, were our Governours so pleased, far be it from me to approve it. And yet if I were among a people of sickly and childish minds, whom I could not otherwise please and profit without indulging them the innocent use of this bauble, I would use it to them without any Law of the Magistrate, yea I would rather undergo some moderate penalty, than hinder

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Souls from a good that will more than counter-vail all the damage.

16. In doubtful cases it is good to take the safer side. In conforming in this point you obey the letter of Christs command, *Mat. 28. 19.* You cannot be sure that it is simply unlawful: you may not do a known sin to save your life. But having used all the means you well can, if yet you hang in doubt, Non-Conformists and all sound Casuists will grant, it is better to do a doubtful small evil, than forbear a certain and great good, and occasion far greater evils to your self and others. Sin and duty will remain so, whatsoever we think: but if mine own ignorance intangle me in a necessity of doing unknown evil, it is my duty to avoid the greater evil. Now admit the simple use of the Cross should be evil, what kind of evil is it? There is so much to be said for it, that doubtless it is no great evil. It hath no intrinsecal turpitude or indecency. Those Non-Conformists that do over-tax it, are rather blamed than approved by their more moderate Non-conforming Brethren. He that doubteth is damned if he eat: that is very true. But the case is not alike in eating as in using the Cross. For in eating or not eating there is liberty. He that doubteth may forbear. There is no question made whether he may forbear to eat or no. All the question is, whether he may lawfully eat or no. In that case his doubting conscience maketh it duty to him to forbear, no harm can come by it to any. But if you do not use the Cross, much harm may and will come by it: and if you do use it, that harm will be avoided, and much good will

will be gained. And I say again, you cannot be sure that it is sinful to use the Cross: it is more likely to be lawful than not. If it prove an evil, it can be but a small evil. The consequences of Conformity will over-weigh the evil. If any shall say, at this door a fardel of Ceremonies may come in, and no man knows where the stop will be; it may suffice for Answer, That what may be, may not be. But if any such thing should fall out, the wisdom, and courage, and fidelity of the Pastors must interpose, and secure the Gospel and the peace of the Church as well as they can, and the greater evil must be avoided. But with us there is not much cause to fear such an evil, if Popery come not in.

S E C T. XVIII.

Concerning the giving of the Sacrament to all in the Parish.

IT could never be the meaning of our Governours and the Law, that we should give the Sacrament simply to all without exception. For then we must give it to Infants, to the people in *Bedlam*, to such might be admitted, nor none that had not their Catechism perfect, which are the two points of ignorance and scandal. If this Rule had been followed, and this Law put in execution, the practice would have been no new thing in England. *Mr. Vines upon the Sacrament, pag. 162.*

As for the Churches of our Confession, you may read their Confessions and Books of Discipline. I will instance only in the Church of England, by Rule whereof no notorious and obstinate Offendor

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as be in Jails under suspicion and charge of grievous crimes, to Jews if they would take it. Both the Liturgy and Church Canons do expressly order, That the Sacrament shall be given to none but the Confirmed, or such as be ready and desirous to be Confirmed, to none that be Schismaticks, gross Sinners; and it is one of the Non-Conformists exceptions, That all the Non-Conformists are *ipso facto* excommunicated, and excluded from the Sacrament. How then can it be said, that we must give the Sacrament to all in the Parish? For the Non-Conformists are Parishioners. *Solomon says, or rather the Holy Ghost by him: Answer not a fool according to his folly, lest thou be like him. Answer a fool according to his folly, lest he be wise in his own conceit.* These sound like a contradiction. But wise men understand the meaning very well; and all Christians will assent and consent to them with safety of conscience. Soundly understood they are holy and consistent sayings. So in the case of Conformity: One place says, Every Parishioner shall communicate more than once a year. Another place says, No notorious sinner, or malicious and defamed person shall be admitted by any Minister, nor any but the Confirmed, or desirous to be so. Here is a seeming contradiction, but soundly understood there is not. There is plainly a due guard set upon the Lords Supper, if the Liturgy and Canons be duly and soundly expounded even in the judgment of such as cannot be suspected of partiality.

S E C T. XIX.

Touching Ministers being bound to give an account to the Ordinary of such as they shall repel from the Sacrament, within fourteen days after; and he is to proceed against them according to the Canon.

I See not but this Order soundly understood, may be assented to. If the Ordinary be near me, I may go my self, or send to him. If he be further off, I may give him account by writing, if he be in any part of the Kingdom, if I be diligent, which I will, at least I should be rather than be silenced. So I do my part by going, sending, or writing, the Law is performed. If my life lay at stake, I think I should judge it a tolerable condition. If there be no persons in my Cure to be repelled from the Lords Table, I owe no account. If there be, I must first repel them from the Sacrament, before I can be bound by this Order. There is a twofold repelling of persons from the Sacrament. 1. By prudent advice, love, and intreaty in private, when
A. B.

I desire it may be noted, that there is a twofold Excommunication. 1. One lesser and more particular, out of a particular Congregation. 2. Another greater and more general, out of the Church universal. The former excommunication seems to be allowed to all the Parish-Ministers. Now there are not many cases that will need more than the lesser Excommunication. It is the greater Excommunication in which the Ordinary doth use to meddle. If the crime deserve only the less Excommunication, quære if any Certificate lie in the case. However this part of Discipline which is very considerable is left to the Parish-Ministers.

In St. Augustines time drunkenness was so common all over Africa, that it was

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consulted among the Bishops, if it were good to excommunicate them. Augustine withstood, as fearing it would turn to a general Schism and Mutiny, and prove the eversion of the Churches. This wise and sound judgment of Augustine is disliked by that learned and holy German Divine Zanchy, and many more; who thinks in such a case we must follow the letter of Christs words, Let him be to thee a heathen man: that is, we must excommunicate whole Towns and Parishes, and leave the issue to God. So that Conformity in the rigour of it as to this, is no worse than the judgment of one of the most learned and holy Divines of the Reformation, and many more with him. But I prefer Austins judgment in this much before Zanchy's. Oper. tom. 4. pag. 750. in quart. præcept.

properly no repelling. And I am perswaded by the experience which I have had many years, I shall not meet with many persons that will not be satisfied

A. B. one of my Parish comes to me, and desires to be admitted to the Lords Table, and upon conference with him, and honest inquiry of his person and conversation, I find it better and safer for him not to come as yet, and I advise him so to do. I do not simply deny you, I am your Pastor, and I would do all things for your profit, and nothing to the hurt of your Soul. You may be in a state of Grace and Salvation, though you do not actually partake of the Lords Supper, while you do not contemn it, and do but forbear till you be well prepared. Now if the matter go no further, if the party be content, and take my advice, and forbear upon this personal and private discourse, this seems to be no repelling for which a Minister stands bound to give account to the Ordinary. This is nothing but what one Christian may say to another by way of counsel and advice. This is

satisfied

fied with thus much ; so that besides those which I may safely admit, and those which I may in private between them and me by loving advice and prudent counsel prevail with not to come for the present, I shall have very few or none to repel from the Sacrament, but such as perhaps I may well give account to the Ordinary of.

2. There is a repelling by publick Admonition and Church-power as a Minister, notifying to the Congregation such a mans crimes and scandals, as a Fornicator, and the like, and warning him not to come to the Sacrament till he have made open Confession of his sins, and reformed his life. And this is the repelling which the Order binds to.

3. Suppose I shall do this, acquaint the Ordinary with the state of my Cure, and tell him there be a great many in my Parish for whom at the present it is not safe and convenient to come, nor for me to admit to the Lords Table, it will require some work and time both on my part and theirs to prepare them : such as walk orderly, and live like Christian people, and have competent knowledge I will admit, and the rest one after another in time as they shall be ready. There are too many to be presented to your Court. If you use violence, you will make them far worse. If you excommunicate them, it will signifie nothing, it will be but as a wooden Dagger : or rather they may danger to rise in rebellion, and make a mutiny, and turn you and us out of place, or quite leave our Assemblies, and turn Quakers, Papists, or Infidels, and precipitate their Souls into Hell by obstinacy and vitiousness.

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ness. If you will leave them to me, I will secure your Jurisdiction, and the Order of the Church, and edifie them the best I can. I will Chrysten their children, and keep them within the Church as Hearers and Learners and Candidates in order to full Communion and the state of compleat *Fideles* and Communicants, and in time I hope to make them a reformed people. Such of them as be grossly obstinate and vicious, and I cannot deal with, but they will need the utmost bridle of Discipline indeed, and milder means will not suffice, you shall have an honest account of, and let the Law go upon them. I say, Suppose I should make this Address to the Ordinary, do I not honestly perform the Law and the intent of this Order? And who can say, that there is any thing in this which may not be assented to?

4. Doth it follow, that all that are given account of to the Ordinary, must needs be excommunicated? Not so. All presented persons are not excommunicated: nor are all excommunicated persons laid in Jails. They may be presented, and yet not excommunicated. And they may be excommunicated, and not put to any corporal coercive punishment. They cannot be excommunicated, but first they must be cited, and it is to be hoped, that the Ordinary will do them Justice. If he do them Justice, none can have cause to complain. There hapned a Church-Warden, which pursuing his Oath and the strict letter of his Instructions, as he thought, presented almost the whole Parish. The Court knew not what to make of his Presentment, nor with the people presented, they were so many: but ordered

dered him to make no more such Presentments, the intent of the Law being not to excommunicate whole Towns and Parishes, but notorious Sinners, and such obstinate and infamous ones, whose crimes be open and scandalous, and gentler remedies will not suffice. So that upon the whole matter I judge this point in Conformity tolerable, and such as may be submitted to rather than deprivation.

S E C T. XX.

Touching the Chancellor and his Office, and reading Excommunications, and the Order of Discipline in the Church of England.

I Doubt not but that according to the opinion of all Divines the power of the Keys belongeth to the Pastors of the Church, as the Stewards of Christs Family, and the commissioned Officers of Christ, having power to take in and to cast out, and to do the whole Office of a Pastor prudently and faithfully to their Flocks in concord and communion with the rest of the Pastors and Churches. Methinks those of the Independent and Presbyterian way that would have ruling unordained Elders chosen out of the people in every Church or Congregation, should not find fault with the Bishops government for having one Lay-Chancellor or ruling unordained Elder to serve for a whole Diocess, but rather for not having one such in every Parish. There is all this following Discipline in the Church of *England.*

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land. 1. By the Doctrine of the Church-Catechism there is required of all persons to be baptized, practical Faith and Repentance, either by themselves, or by their Sureties. And by the Canon none are to be admitted for Sureties but Communicants, and none are to be admitted to the Communion but the worthy. 2. Confirmation is appointed to follow after Baptism, and precede the Lords Supper. 3. No scandalous Sinner is to be admitted to the Lords Supper, till he have openly reformed his offences. 4. No man is forbidden private admonition. 5. No Master of a Family is forbidden any part of Family-discipline. 6. No Pastor is forbidden the use of publick admonition and rebuking openly by name such as sin openly. What word is there in all the Liturgy which forbids the Pastor of any Parish from saying openly to this effect: *A. B.* of this Parish or Congregation hath committed the sin of Fornication. The crime he denies not. It is notorious and known to all. I have used all the means I can to make him sensible of his sin, and openly to confess the same, and he will not. I do admonish him, and declare to him and all this Assembly, That Whoremongers and Adulterers God will judge, and that it is your duty not to company with the impenitent Fornicators of this World, and I warn you in Christs Name, that you do not; and more to the same purpose. And what is this short of Excommunication? And is all this nothing? O that all this were but faithfully done! Call not for more till you have done this. It is hypocrisie to cry out for want of more Discipline, when they will not do that which

which is in their hands. 7. Moreover the Church-Laws do provide that none but worthy Ministers shall be ordained. First they are to be Deacons, and continue so for a year before they be admitted Presbyters. They are to undergo a Test or Tryal of their Learning and Skill in Divinity, and to have Testimonials of their sober and good Conversation. 8. Bishops by Law are to make frequent Visitations. 9. Constant Preaching and Catechising and Gods publick Service is injoyned. 10. There are publick Lectures and Week-day-Sermons in Market-Towns and places of resort by order or by allowance of the Bishop. Of my knowledge there were and are to this day in the Diocese where I was sometime resident. 11. There are Church-Wardens and their Assistants yearly chosen and sworn to present offences. 12. All manner of Church-censures be in use among us, suspension and degradation of Ministers, and Excommunication; what more would you have? 13. There is the Magistrates Sword to back all this, to drive us all to our duty, to be a terror to evil doers, and a defence to them that do well. The only or the greatest fault that I know, is the want of faithful execution. Is it any fault of good Laws, if bad men break them, and if bad Magistrates protect the evil, and punish the good: and if Bishops and their Chancellors do not their duty faithfully, and if Pastors and people be negligent? Will any Laws execute themselves? As to the Chancellor and his Office, it is less matter by whom Excommunication be done, so it be honestly and soundly done. He is a Christian, he is a man of knowledge and learning, he
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is authorized by the Laws of the Kingdom. His Office is incorporate into the Government of the Nation. He may be an honest man, and do God and the Church faithful service, if he will. He is a man, and all men are lyars, that is, frail and fallible, subject to err. Though he may not bind and loose as a Pastor, and authoritatively excommunicate and absolve by an intrinsick power as a Bishop or Pastor in Gods Church, he may bind and loose as a Christian; for which read the plain words of Christ, *Mat. 18. 15, 16, 17, 18.* he may bind and loose as a person authorized by the King and State, and as one that is qualified with wisdom, holiness, and impartiality besetting a Christian decisive Judge, and deputed by the Bishop or State to hear and examine the cause, and discern between right and wrong, truth and falsehood, good and evil; and he may pronounce that *A. B.* hath committed Fornication, and deserves to do Penance. He may judge upon the cause before him, whether the person be worthy to be excommunicated or no. He hath that leisure for the examining, and trying, and deciding of causes and contentions, which ordinary Ministers have not. And it would be a distraction to them. There is this to be considered, That where the case concerns Ministers deprivation or deposition, he is only to expedite the Cause, and make it ready for Sentence, and the Bishop with other assistant Ministers are to pronounce the Sentence, *Canon 122.* And further, That no Excommunication is of any force till it be published by the Parish-Minister, who hath power, if he please, to make it his Text, or chuse a Text for the purpose,

pose, and declare to the people the nature, use, and ends of Excommunication. He may not only do the office of a Cryer, but of a Pastor, and authoritatively denounce the party excommunicate, if it be evident to him, that the party is really guilty, and deserves it. How do Sheriffs, Bailiffs, Constables, and all sorts of Officers who receive Orders, Writs, and Processes from superiour Courts, and Judges, and Justices, having no knowledge whether the Cause be right or wrong? If I know the Sentence to be void, unjust, and illegal, I am not to publish it. If I do my best to know, and I cannot learn but that it is just, I may publish it. If he be one of my Charge, I may have a like aim. If the case be doubtful, I must chuse the safer side. So that I cannot see but that a godly man may with a safe conscience promise Conformity to the Liturgy herein. I deny not but that there is a notorious neglect and misexecution of Discipline: but whose fault is that? Not of the office, but of the men which be in office. And I think the principal fault is in the Parish Ministers, who ought to be resident with their Flocks, and teach publickly, and from house to house, and warn, instruct, and comfort, and charge, and watch over every Soul. And if that were but done, there would be less need of Excommunication, or it would be better done and used than it is. But the mischief of all is, that good orders lye dead and neglected, and men in place and office be bad, and partial, and corrupt, and Justice is obstructed, and Discipline either omitted, or worse than omitted. But all this contrary to the rules of Conformity,

and to that duty and fidelity which Bishops, Chancellors, Pastors, Magistrates, and people owe to God and to his Church, and to the cause of Faith and Holiness in the midst of us.

S E C T. XXI.

Touching the Surplice.

I Know no one Argument against this or any other Vestment in the Church of *England* sufficient to prove it unlawful. Some garment we must wear, it is determined by no word in Scripture of what colour it shall be. If the Magistrate would, he might well leave such things to Ministers choice, only prohibiting all from using un-decent garments. But external Vestments are things that he may make Laws about. And if he order me to wear a black or a white, a linen or a woollen upper garment in Divine Service, I will do it rather than be silenced. If he think one garment more holy than another, his thought is his own, not mine. His extrinsec Law cannot make that unlawful to me which is lawful in it self, while I only am required to approve the use of it, and promise so to do. To the pure all things are pure. And why it may not be worn as a significant garment I know not, should it be so imposed, which I understand not that it is. First it is a garment, and so it may be worn. If any signification of purity and innocency should be put upon it, that would be but a secondary use of it, still the use of it would be lawful.

S E C T.

SECT. XXII.

Touching the error and miscomputation which Mr. Baxter taxes in the Calendar.

IF really there be an error, *It is questionable whether this be any part of the Book assented to. For which see afterwards.* I assent not to it, I believe multitudes both of Conformists and Non-Conformists little observed any such thing.

It is like the Composers of the Liturgy did not know it to be an error. Some say still it is not. It is a matter in which I am not much studied. If it be an error, it is not properly an error in Divinity, but belonging to another Science. If it be an error, I am glad it is found out. Those that knew it to be an error, and yet assented to it, did ill. But it being an error aliene from the road of Divinity, not discerned by multitudes of either side, never used in Church-Services, fit-test for a Jury of Almanack-makers to decide, not known to our Governours, not much material whether it be so or no, were it not for the declaration of assent, and being neither Doctrine, Discipline, Worship, Ceremony, nor any part of the Government, and some do yet continue to affirm, that it is no error, I suppose for what is past none will lay much to the charge of the Conformists upon this account, and for the time to come, if indeed it be an error, it will be abated to those that shall subscribe and conform.

S E C T. XXIII.

Touching the defects and disorders of the Common Prayer Book-forms both for matter and method.

MR. Baxter confesses them to be no such faults, but that with them the Forms may be used by a godly man, either in obedience to Authority or for Unity, or when better cannot be had: but he thinks it not lawful to approve disorders, as we do not approve our own daily infirmities, but mourn under them, and are guilty of them unwillingly. I grant the Liturgy to have many defects. Some things are wanting that should have been in, some things might have been spared, there are too frequent repetitions of the same things, and many defects as to Method, and many things might have been better worded. But all these defects being tolerable, and it being lawful to use them, it is a duty in case of deprivation, and so far as we may use them, we may assent and consent to use them. It is better to be lame a little, and go upon Crutches, than to want legs, and be quite a Cripple. I do not approve the defects of my duties; but thus far I approve them, I thank God for all the good in them, and that they are no worse, and though I foresee and foreknow I cannot pray without defects, yet I had rather pray tolerably well than not at all. I do not assent and consent to use a disordered Prayer as not disordered; but I assent to it as containing nothing false and ungodly, and nothing but what a godly man may use with profit and

and comfort to his own Soul and others, when better is not to be had. And the words of assent and consent are not to be otherwise understood.

S E C T. XXIV.

Touching those words in the Preface to the Liturgie—

We are fully perswaded in our Judgments (and we here profess it to the World) that the Book as it stood before established by Law, doth not contain in it any thing contrary to the Word of God, &c. if it shall be allowed such just and favourable construction as in common equity ought to be allowed to all humane Writings, especially such as are set forth by Authority, and even to the very best Translations of the holy Scripture it self.

THE Non-Conformists exceptions to this are principally about mis translations and seeming contradictory passages in the Liturgy, as if I should say in a Form of Prayer, that Christ was born *as this day*, and should say the same Form to morrow and several days after. Now these exceptions seem not cogent; because the words fore-cited do plainly intimate, that it is not the intent of the Book to bind any man to approve the errours of Translators and Printers, nor to use those Forms in the Liturgy so as to contradict one another. But when the Liturgy appoints a Collect for *Christmas day*, as to say, Christ was born *as, on this day*, and to use the same Form or Collect five or six days after, it

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doth not intend that you shall use the words *this day*, save only on *Christmas-day*, and using all the rest of the Collect shall leave out the words *this day* on all the other days following. For this is but a just and upright interpretation: and the contrary seems not charitable and equal. When the words do express, that a favourable construction is to be allowed even to the very best Translation of the Scripture, doth not that plainly intimate their meaning, that they bind none to approve any word or sentence mis-translated; but only to approve it so far as it is well and soundly translated, and to use the Translation not as faultless, but as having no such faults and errours in it, but that a godly man may with a good conscience use the same, or else we must use no Bible in the World? For who can say, that any Translation or Copy is absolutely and exactly without fault?

But let it be taken notice of, that the words are not simply and directly, that there is nothing in the old Book contrary to the Word of God, but they are fully perswaded in their judgment, and do so profess to the World. And it may very well be assented to, if there be just reason to think they meant as they spoke, which I think none will deny. The question then as to this is not whether the old Book had any thing in it contrary to Gods Word, &c. but whether or no they spake as they thought, and did not horribly dissemble and violate their consciences, when they said we are fully perswaded in our judgment, and do here profess it to the World, that the former Book, as candidly understood, had no
thing

thing in it contrary to Gods Word, &c. I verily believe they meant as they spoke.

S E C T. XXV.

Whether the Act for Uniformity be a Part of the Common Prayer Book to be assented to by Ministers? That it is not, I shall make evident to all by these Reasons.

1. **T**HE Act it self doth expound it self. For it mentions, that at the coming in of the King, by Commission from His Majesty the Bishops in Convocation did review the old Liturgy, and made sundry additions and alterations, which they put into Writing, and did exhibit in one Book, entituled, *The Book of Common Prayer, &c.* to His Majesty, who was pleased therewith, and he recommended it to the Parliament, and so it passed into a Law. Now that which was so exhibited to His Majesty, and by him commended to the Parliament before the Act for Uniformity was in being, and afterwards was made into a Law, that and no other is the Book of Common Prayer, even the same that was before the Act for Uniformity was made. For there is but one Book of Common Prayer so called and enacted.

2. In the Act it self there is not once mention made of the Act as a part of the Liturgy, but in all places where the Act is named, it is plainly distinguished from the Book of Common Prayer, and the Book of Common Prayer from it. They are both named a multitude of times, and not

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once named as one Book, but evermore the Book is named by it self the Book of Common Prayer, and the Act is named by it self as no part of it, but another distinct thing.

3. If the one must be a part of the other, then clearly the Book of Common Prayer must be a part of the Act, rather than the Act of it. For the Book is named as annexed or to be annexed to the Act. If a man make his Will, and put a Codicil to it, we do not say that the Will is a part of the Codicil, but the Codicil is a part of it. As in the Book of Canons printed with the Kings Ratification under the Great Seal, the Kings Confirmation under the Great Seal is not any part of the Canons, but the Canons themselves be a part of the Kings Confirmation, and they are made as the very body of the Commission or Letters Patents. It is absurd to say, that the thing unto which the Appendix is annexed is a part of the Appendix, as if you should say, that a mans body is a part of his cloaths.

4. The Act for Uniformity orders, that the Act it self and the Book as annexed to it, shall be exemplified under the Great Seal, and kept for perpetuity in such and such places and Courts of Record, to be produced upon all occasions, and shall be deemed and taken for good, valid, and authentick, as that very Copy or Book annexed to the Act, which the Parliament had then before them, and is the very Original. Now our common Books have bound up in one Volume the old Act for Uniformity, which also is declared to be a part of the Contents of the Book: which if so, and we must be bound to subscribe to the whole

whole Contents of that Book, as there declared, then we must subscribe to contradictions, namely to use two Common Prayer Books, the old and the new, and so we shall subvert the whole frame of Conformity, and defeat the whole design of the Parliament.

5. I am perswaded the general sense and opinion of all Divines, both Conformists and Non-Conformists is, That the Act for Uniformity is no part of the Liturgy, nor was it ever intended by the words of assent and consent, that Ministers should declare assent and consent to every thing in the same Act. It never was so before. And the Preface following the Act gives a plain account of the difference between the old and the new Book, and that for substance they are the same, without giving the least hint that the Act is a part of the Book, which would have made a vast difference. When was there any Act of Parliament made, binding Ministers or any other to assent and consent to all and every thing in it? And we are not upon weak conjectures and probabilities to imagine a thing that never was.

6. Conforming Ministers do use now, as of old, to subscribe the Article in the thirty sixth Canon which concerns the Common Prayer Book, but never any to this day did think, that that Canon and Subscription did include the Act for Uniformity.

7. Such a thing is so substantial a matter, that it had need of a plain and express clause in the very body of the Act to constitute and declare it Law; but there is not one syllable in all the Act inclining that way, but the whole scope and tenour

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nour of the Act seems contrary. If the Parliament had meant any such thing, it had been an easie matter to have so declared, and they had wit enough so to do. Nothing but an expresse clause in the Act it self so appointing, or a new Act of Parliament can cause such a thing: but neither of these can be produced.

8. Sure I am, many conformable men are so far from judging the Act for Uniformity to be a part of the words of assent and consent, that they think nothing in the Book is assented to but what is appointed to be ordinarily read, and such Rites and Ceremonies as are used.

9. The two Reasons or Objections of the Non-Conformists do make against them. As,
1. The Act may well be a part of the Book, for all it is named as distinct from it: for so the Title of the Act is a part of the Act, and yet distinct from it. *Ans.* The case is not the same. The Title of the Act is not properly a part of the Act, unless it be so expressed in the Act, but the name by which the Act is Christned or called, though it may be of use to explain the Act. It is the mandatory or decretory part of the Law, which is the Law, the rest of the Act is rather an introduction to, and useful matter conjoynd with the Law, conducing to its reason and explanation, than any part of the Law it self. But as for the Title, that is taken by none to be in a proper sense a part of the Act, unless it be so expressed in the Act: it is but as a mans name to distinguish him from all other men, but is no part of the man.

2. But their strongest Reason doth most strongly

strongly confute it self. Say they, In all Books that be extant in Churches, and commonly vended, the second page of the book declares what are its contents, and expressly names the Act for Uniformity for one. And who then can judge any other but that it is; and if we assent to all and every thing in the book, do we not assent to this? Can any thing be more plain? *Answ.* But is it not also as plain, that the old Act for Uniformity is as expressly named? The words are thus— *The Contents of this Book. The Acts for the Uniformity of Prayer. The Preface, &c.* If your construction stand good, then we must assent and consent to both the Acts for Uniformity, and consequently to two Common Prayer Books, and so evacuate the whole frame of Conformity, and make the same thing to subvert it self, and our Governours to speak non-sense and contradiction, and things contrary to the sense and understanding of all the Nation. Why do you not tax the Conformists for subscribing to such gross and palpable things, as your selves with no reason can imagine? You go upon the expresness of the letter as to one part, and not as to another part equally express. The same eye which gives you to see and read the one, gives you to see and read the other whether you will or no.

In many of our Bibles the *Apocrypha* is bound up: the Title is the holy Bible. Now if the Printer or any other through over-sight shall number the *Apocrypha* among the contents of this book, and you assent to all and every thing in this book so intituled, do you look upon your Subscription as including the *Apocrypha* as a part
of

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of the Bible? Or if a Magistrate shall swear you
in the usual Form with a Bible that hath the *Apo-*
crypha in, *So help you God and the Contents of this*
Book, do you take this to mean, that therefore
the *Apocrypha* is a part of the Bible or Word of
God?

S E C T. XXVI.

Touching that Declaration, That it is not lawful
upon any pretence whatsoever to take Arms
against the King, or by his Authority against
his Person or any Commissionated by him, and
that I do abhor this latter as a treasonable
Position.

*The difference here is
only about the true sense
of the latter words, ta-
king up Arms against
the Kings Commis-
sioners.*

THE former part I am
free to declare simply
and absolutely, It is not law-
ful upon any pretence whatso-
ever to take Arms against the
Kings person. And in the
sense that Christ saith, *He that despiseth me, despi-*
seth him that sent me, Luk. 10. 16. so I declare
the latter, That it is treasonable to take Arms
against such as be justly and legally Commissiona-
ted by the King in the due pursuance of their
Commission; for it is against the Majesty, Dig-
nity, and Authority of the King. And that this
and no other is the sense and meaning of these
words, I prove by these Reasons.

*Deeds do serve to ex-
pound a Law as well
as words.*

THE very Act which
makes this Declaration and all
succeed.

succeeding Acts of Parliament do amount to a virtual and interpretative Exposition of it in this and no other sense. For if it be construed without all restriction, so as that no Commission from the King, how illegal soever, shall be counted illegal, and he that acts by it may no more be resisted, than the King himself; then what use is there for Laws and Parliaments? The King may do what he will, he is free to violate his Coronation Oath, and set up arbitrary Government by a Law.

Bishops, Divines, Clergie, and Laity do agree in this Exposition.

2. The Kings Proclamation of Indulgence to the Non-Conformists was called in upon this account, and adjudged to be contrary to Law, which is a clear interpretation of the sense of this Declaration.

3. The Judges at *Westminster* are appointed out of Parliament to be the publick Expositors and Interpreters of Laws made by the King and Parliament. But they do all unanimously agree upon this sense and exposition of the Law, and their common practice declares no less.

4. The Parliaments proceedings against the late Lord Chancellor *Hyde*, and against the now Earl of *Danby* do manifest their sense of this Declaration, and that it was far from the intent and meaning of the Parliament to unhinge the Right of the Subject, and the Privilege of the Parliament, and make void all the Oaths, Bonds, and Engagements of all the legal authorized Judges, Justices, Mayors, Magistrates, Constables, and Officers of the Kingdom: and that they meant no more but to establish the Kingdom in quiet against

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against all Sedition, Insurrection, and Treason,
as contrary to the plain Word of God uttered by
St. Peter, 1 Pet. 2 13, 14, 15. and St. Paul, Rom.
13. 1, 2, 3, 4, 5. Though if the matter had been
more plainly worded, there had been less cause
of scruple.

S E C T. XXVII.

*Touching that Declaration concerning the Solemn
League and Covenant, I am free to declare, That
there lies no Obligation upon me from it; for I
never took it. As also that it was imposed upon
the Subjects of this Realm against the known Laws
and Liberties of this Kingdom; that part of the
matter thereof without an explication was it self
unlawful; and that it was ill taken by all. I prove
it by these following Reasons for the sake of those
that will hardly bear such a Declaration without
Reasons shewed for it.*

1. **T**Here was never any such Oath taken by
any person or people fearing God. Let
those which say it prove one such Oath for mat-
ter and manner the same for substance with this,
taken by any people in any Age of the World.

2. The King forbade the taking of it, and he
had just reason so to do. We do all acknowledge,
that he is supreme Governour, no Law is a Law
without him by the Laws of this Land. But if
he shall by his Proclamation forbid his Subjects
from doing a thing which is contrary to Gods
Laws and the Laws of the Kingdom, it is sinful
for any to do it.

3. Nay

3. Nay if the King and Parliament had made a Law for the taking of it, it could not have been warrantably taken by any man without the stretching of the words and the liberty of an explication.

4. I insist upon those words by which *they bind themselves all their days in their several places to endeavour the extirpation of Prelacy, that is, Church-Government by Archbishops, Bishops, &c. and all things depending on that Hierarchy, and to repute all for Malignants that should not joyn with them in that Covenant, or but be luke-warm and neutral therein, as a means of Reformation.* Never any such Oath had been in the World before.

5. There is a Prelacy among Pastors which is so far from being sinful, that it is absolutely Divine and unalterable, by reason of that inequality that is among Pastors as to Gifts and Graces. Unto some God giveth ten Talents, to some five, to some two, and to some but one Talent of ministerial Wisdom and Fidelity, and to some none at all. God never called them to be Ministers and Pastors in his Church, but they run of their own head. It is Gods unchangeable Law, that the best be best esteemed, and that we prefer a man before a brute or post. *Daniel was preferred above the rest of the Presidents and Princes, because that an excellent Spirit was in him, Dan. 6. 3. And Esther and her Maids were preferred unto the best place of the house of the Women, Esth. 2. 9. And we are commanded in honour to prefer one another, Rom. 12. 10. And therefore of the two they should rather have sworn to be for Prelacy.*

6. Bishops both name and thing be scriptural.
And

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TIT. 1. 7. Phil. 1. 1. And therefore it had been duty rather to have sworn three Kingdoms to establish and be for them, than to extirpate them. It is not sufficient to

say, that Bishops and Presbyters in Scripture-sense mean one. For would the Presbyterians like it; if an Oath should be made and taken by three Kingdoms to extirpate Presbyters or Ministers Presbyterial with this *Salvo*, We do not mean to extirpate you as Bishops, but only as Presbyters or Presbyterial?

7. He that knew what kind of men there have been Bishops in Gods Church, such as *Cranmer, Latimer, Ridley, Hooper, Farrar*, all Martyrs, *Jewel, Grindal, Abbot, Davenant, Hall, Downam, Brownrig, Morton, Babington*, and to name one for all, that most worthy Man *Dr. Usher*, not to name any of the Bishops ancient or modern of other Countries, might well be afraid to swear to extirpate Church-government by such. Shall I swear to extirpate those Men and Church-government by them, who are burning and shining Lights in Gods Church, whose Name is precious to all good men; and I am not worthy to carry their Books after them; and if they be guilty of such faults and errors, that three Kingdoms must in zeal for Reformation oblige themselves by solemn Oath to endeavour their extirpation, what shall become of me, and such as are worse than me? For I will not number my self among the tares and unsanctified ones of the World. If you swear to extirpate the best, what will you do with the worst, and how will you escape yourselves?

8. This

8. This Oath saith like the King of Syria to his Servants and Officers: *Whether they be come out for peace, take them alive; or whether they be come out for war, take them alive,* 1 Kings 20. 18. So whether they be good, or whether they be bad, the best as well as the worst, an *Usher* as well as a *Bonner*, an *Augustine* as well as an *Hildebrand*, if they be Bishops and Archbishops, down with them; spare none.

9. It is one thing to extirpate, another thing to reform; as it is one thing to play the Surgeon, another thing to play the Butcher. This Oath binds to extirpate, that is, to pluck up Bishops both root and branch, to leave nothing of them standing.

10. This Oath, though it was calculated for *England*, *Scotland*, and *Ireland*, yet it involveth all the Bishops and Archbishops of other Kingdoms, down from the Apostles days, or soon after, to this our time in all or most parts of Christendom. *A quatenus ad omne valet consequentia.* If you swear to extirpate Bishops as such, you swear to extirpate all the whole kind. If no more could be said for Bishops and Prelacy but meet Antiquity and Universality, I think every wise man should be afraid to swear the extirpation of them. If the Papists, which brag of the Antiquity and Universality of Popery, could but prove as much for them as may be proved for Prelacy and Episcopacy, I doubt not multitudes of Protestants would presently turn Papists.

11. Who shall expound unto us those words in the Covenant, *All things depending on that Hierarchy?* All things is a large word. Certainly

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many things in the Episcopal Government are not only lawful, but laudable.

12. The Non conforming Divines at the Coming in of the King treating with the Bishops, moved that Dr. *Ushers* Form of Church-government might be set up. Now that Form or Model consisteth of four sorts of Bishops: 1. Archbishops or Bishops Provincial. 2. Diocesan or County-Bishops. 3. Suffragans or Market-Town-Bishops. 4. Parish Bishops or the Ministers of each Parish. Sure then it had been better to have sworn their Establishment than their extirpation, since some of the principal Covenanters moved for Church-government by Bishops.

13. All sides be for Bishops. There are none but would have the Sheep to have Shepherds. The Controversie is only about the kind of Bishops.

14. The moderate of all the three Periwaisons, Episcopacy, Presbytery, and Independency do agree in the main: extirpate one, and extirpate all: for godliness is the same in all. These are not three Forms of Church-government, as three is contrary to unity; but one and the same uniform and substantial Frame of Church-order is exercised by all godly Divines, Episcopal, Presbyterial, and Independent, with some small variations and tolerable differences.

15. While the World standeth, there will be many things in the best Church upon Earth to be lamented and born with: and it cannot be otherwise, unless we will go out of the World, and go from our selves too. There are some both persons and things intolerable: and there be many defects and lesser errors both in Church and

and State that must be tolerated. We may consent to no error; but we may and must tolerate many a one. And it can never be proved while the World stands, that the Episcopal Government as exercised by such Men, as *Usher, Joseph Hall, Grindal, Davenant*, and the like, is or was intolerable.

16. The generality of the Non-conforming Divines in *England* are for a well-tempered Prelacy. Sure I am, that multitudes of them are, and those the most judicious, holy, and mellowed ones. The Solemn League was not hatched in *England*. The very Spirit and Temper of the English Non-Conformists is more mild and moderate as to Bishops and Prelacy, than the Scottish Brethren are. I speak not this to add affliction to the afflicted, but to give to each side their due. If any take offence, it may most likely be the guilty, who have most need to be told of it, that being admonished impartially of their sin, they may repent. The English Non-Conformists, yea and Conformists, were drawn into that Covenant not without reluctance and many a thought and wish, that either it had not been at all, or not in that Form that it was, as I do upon good grounds conjecture.

17. When Bishops and Prelacy were down, two Parties who were mutually one before broke forth, the Presbyterians and Independents, and were as bitter the one against the other, as the Prelates were against them both, saving violences and coercive

To swear or promise due submission and obedience to them, and afterwards swear to extirpate and root them up, seemed to some in those times very hard.

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restraints and punishments. It had been wisdom to continue the old frame of Government, which was tolerable, and had been long in the Church, till a new and better one had been well resolved on; but to live in peace under the old, and then joyn together to take it down, and afterwards fall out, and almost unchurch and unfaint one another about the new frame, was sport to malignant Observers, but grief to the sober and impartial of all sides.

18. An Oath is a sacred thing, and it is dangerous to use shifts and stretches. Reformation might well have been without an ensnaring and suspicious Oath. Such as were ejected and hardly dealt with for meer refusal to take that Oath, were in that the right Puritans and Non-Conformists.

19. If one may judge of those times by these now present, a great many swore pell-mell they knew not what. For if this question were put to many, What is Presbytery, what is Independency, and what is Episcopacy, wherein do these three agree, and wherein do they differ, they would be hard put to it. And it is too evident, that many put darkness for light, and light for darkness, calling evil good, and good evil, and they make their errors a part of their Oath and Church-reformation. So it was then, and so it is now. And therefore as to a great many which took that Oath, I doubt not but it was as to the very matter of it evil in it self, as to much of it.

20. Finally, extremes are not good. The Prelates many of them by their rigour and extremities

tremities had erred on the one hand, and the Contrivers of this Covenant erred on the other, and drew into an ensnaring and suspicious Oath a multitude of holy and honest persons, and pulled upon themselves and the three Kingdoms much evil by it, as the event manifestly proves. Multitudes of good and holy persons I believe did not take it: and many that took it I believe and know have since repented their taking of it. And were it to be taken again, I believe multitudes that then took it, would not take it.

All these reasons being put together, I judge it may be said and declared it had been well for all sides, if that Oath and Covenant had never been known in the World, and that those did best who never took it; and that in respect of the Kings Declaration against it and publick prohibiting of it, together with the evil or suspicious matter of the Oath, which could not be taken without an explication or sound meaning, as being in terms against express Scripture, and that is was rather contrary to true Reformation, and likely to prove an Engine of division, and of evil consequence to the Churches, and a bond of iniquity to a great many, it was ill taken by all, and ought to have been taken by none.

I should be a Flatterer of the times past, if I should take upon me to justifie or approve of all the miscarriages of some that have been intrusted with the keys of Ecclesiastical Government: or to blanch over the corruptions of the Consistorial Officers: in both these there was fault enough to ground both a complaint and reformation. And may that man never prosper that desires not a happy reformation of whatsoever hath been or is amiss in the Church of God. Bishop Hall in his modest offer to the Assembly, pag. 3.

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But then there is that other Clause in the Covenant, *That there lies no Obligation upon any other person to endeavour any change or alteration of Government in Church or State.* And as to this, I shall declare how far I can go in declaring this, and where I must stop.

1. Without all doubt a great deal of the matter of that Oath is good and obligatory in it self, and had been every ones duty, if that Oath had not been known.

2. It is Dr. Sandersons Position, and I cannot but owne it: *Ad qua prestanda vel injurati tenemur, ad hac prestanda multò magis jurati tenemur.* Such things as we be bound to unsworn, we are much more bound to when sworn.

3. I cannot but think, that if an Oath consist of ten points, five good and five evil, such an Oath ought not to be taken; but being taken, it bindeth to all the good, and is void as to all the bad. Indeed put poison into a pot of liquor, and the whole is poisoned: but it is not so in things pertaining to Vice and Vertue. The act of swearing is sinful, but the matter sworn to being part good and part evil, the evil doth not con corporate with the good; but they remain utterly repugnant, and divided in nature the one from the other, and can never be united. The putting of them into one Oath, and swearing to them together, doth not alter the nature of the matter. That which is unchangeably good cannot alter and become evil. The Oath must needs bind to that. No earthly power can dissolve it: no not God himself, be it spoke with reverence. For God cannot license any man to be unholly and perfidi.

perfidious; for then he should not be God, nor could his Kingdom stand.

4. Neither may we say, that sin is not sin, nor may we make sinful and disorderly reformati^ons. If Superiours do not their duty, Subjects and Inferiours may and must do theirs.

5. The said Oath and Covenant creates no new duty, but only a new tye, and that it doth.

6. I do not perceive any Exceptions made by the Non-Conformists to the Civil Government, but only to the order and government of the Church.

7. If any one person be bound by that Oath to endeavour a change or alteration of Government, &c. no man may with a safe conscience pronounce this declaration.

8. If there be evil in the Government of the Church and State, which may well and conveniently be reformed, I do not see but that all that have taken that Oath stand bound in their places and callings peaceably to endeavour it: there can be no just Reformation without some alteration.

9. Tolerable evils are to be born with. It is no part of Reformation to abolish or alter that which cannot be altered or abolished without greater inconveniences. Where the remedy is worse than the disease, it is to be forborn.

10. It is a sad breach between the Conformists and the Non-Conformists, the healing whereof every good man is bound to pray for, and endeavour in his place and calling all he can, and much more those who lye under that Oath.

11. It is confessed by rigid Conformists, that the things which Non-Conformists scruple, are

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in their own nature indifferent and not necessary ; moderate Conformists confess them to be burdensom and inconvenient, and Non-Conformists do say and more than say, that they are flatly unlawful ; and therefore the yielding and condescension must be on the Bishops side, who for peace sake and the interest of the Church, ought to abate those things which themselves confess to be alterable, and no way necessary of themselves and in their own nature to the being and concord of the Church.

12. Though the things scrupled should prove to be lawful, and Non-Conformity should prove to be an error, yet without all doubt it is sin to over-punish sin, and cast out of the Church a multitude of conscientious and holy men for a small and tolerable error ; for either you will punish all errors at this rate, or you will not. If yea, then you must punish your selves, and silence all the Conformists too, who are guilty of as great, if not greater errors than meer and simple Non Conformity. At this rate of punishing you must punish all, there will be no Ministers nor Churches. If you do thus to holy and peaceable men, who desire but leave to go to Heaven the same way that *Peter* and *Paul* did, and all the first Christians, what will you do to Atheists, Infidels, Hereticks, Whoremongers, Blasphemers, and the most notorious branded Sinners, and loose flagitious Ministers ? If not, then you commit gross partiality, punishing small faults, and not punishing greater, and argue your selves to be guilty of unrighteousness and selfish iniquity, who do not punish crimes accord-
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ing to the Rules of Justice; but according to your own pleasure.

13. The words of the Covenant bind but to endeavour in our place and calling; the words of the Declaration are, that the Covenant doth not bind to endeavour. Simply to endeavour doth perhaps bind to more than to endeavour in our place and calling.

14. It is certain, that the Covenant bindeth to nothing seditious, imprudent, disorderly, contrary to Holiness and Peace: but rather it bindeth to every thing prudent, orderly, and good, and to all duty towards God and man.

15. It is very probable the Parliament meant not to involve any man in the guilt of Perjury, or to bind any man to declare, that sin is not sin, or that lawful and valid Oaths do not bind. God forbid that we should think it was any part of their meaning to cancel and make void the obligation of lawful Oaths; but rather their intention was to fortifie and secure the Episcopal Government and the course of Conformity, by a means which they thought to be lawful and necessary. Good meanings will not justifie bad words or actions: but in expounding Laws we are to have regard to the scope and meaning of our Governments, as well as to the natural sense, import, and tendency of the words.

16. If there be any thing in the Government of Church and State which is simply evil and contrary to the Word of God, the Laws of the Kingdom, the Canons of the Church, the thirty nine Articles, the two Books of Homilies, the Book of Common Prayer, the Oaths and Offices
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of all that be Judges, Magistrates, Officers, and Ministers in Church and Commonwealth, do bind all men against it, as absolutely null and void, though it should not be abolished by an Act of Parliament. Such things as be only burdensome and inconvenient, and are not intolerable, a pious and peaceable man may submit to.

17. Therefore what faults be in the Government are rather the faults of the Governours, which it lies not in the power of other men to amend. If all Governours in Church and State would but faithfully do their duty according to the thirty nine Articles, the Books of Homilies, the Liturgy, and the Church-Canons, it would be happy for all sides. All good and peaceable men would be protected, whether Conformists or Non-Conformists: and all vicious, disorderly, and intolerable men would be punished and made exemplary, whether Conformists or Non-Conformists. Archbishops, Bishops, Archdeacons, Deans, Chancellors, Advocates, Proctors, Apparitors may be good men, if they will, for ought I know, I speak with respect to their meer Calling and Office.

18. The words of the Declaration do not say, No man is bound to endeavour the alteration of the Governours, but only of the Government, that is, of the Laws, Rules, and Canons by which they govern, and of the several Offices which be in the Church. The Laws and Rules of Government may be good, and yet the Governours may be very bad. The Office may be Divine, or justly prudential, or tolerably lawful and convenient, and such as by long use and custom

stom is become so incorporate into the Civil or Ecclesiastical Government, or both, that peradventure it cannot be altered without making things worse. If there be any had repugnant Laws and Canons, they cannot execute themselves, as good Laws cannot execute themselves. What vices are in the Government, are the vices of them that govern, and are contrary to their Office, and the standing Laws of Church and State. Suppose, I say, that Oath and Covenant doth not bind to endeavour the alteration of the Chancellors office, and Church-government by him, doth this forbid me from endeavouring the alteration and reformation of a bribing, corrupt, and abusive Chancellor? If I declare, that Oath doth not bind to endeavour the alteration of Church-government by Bishops, and Archbishops, I do not hereby declare, that it doth not bind to endeavour the turning out of a Popish Bishop, and the putting in of a Protestant Bishop, the displacing of one that is a Persecutor of Gods Saints, and the placing of one in his room that is a Lover of Gods Saints. We define Government not by what Governours are, but by what their Office binds them to be, and by the duty of their place according to the Laws and Rules by which they are to govern.

19. Now let any Non-Conformist prove, that there is any Office in the English way of Church-government which is simply unlawful, and which nakedly and simply done and executed, is not tolerable and allowable among Christian people, and in a Christian State. If it be tolerable, the way of Reformation is not to alter it, because
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it is so interwoven into the Civil and Political Government, that perhaps it will hardly abide to be altered. For so much as I can discern, and the Non-Conformists themselves do grant, there is no one thing in the Episcopal Government but what may well be born with, and a pious and peaceable man may submit to, and the Church be in holiness, prosperity, and peace, if the several Officers in the Episcopal Government from the highest Archbishop to the meanest Deacon, Chancellor, Apparitor, Church-Warden and his Assistant shall but honestly and simply do their duty, as they may if they will, and as their Oath and Office binds them. And if they misexecute their Office, and abuse Excommunication, and Church-censures, and be severe towards those whom they should be gentle towards, and spare those whom they ought to chastise, it is the fault of the men rather than of their office. Their office binds them to no evil, but to favour the righteous, and disfavour the wicked. Establish what office you will in Family, Church, or Commonwealth, you cannot secure it from error and male-administration, unless you could procure Angels and perfect Saints from Heaven to execute it. There have been as vile and wretched men Bishops and Archbishops as any under the Sun, and there have been as holy and good men. All the while Excommunication and Church-censures are soundly done, it is less matter by whom they are done. If you will have Governours, you must have them with their weaknesses, mistakes, and errors, or have none. I do not see but that if the Parish-Ministers be prudent,

prudent, faithful, and diligent, they may duly discipline their Congregations, and either with or without the Chancellor, and his Writs, Citations, and Mandates, well govern themselves and their Flocks. I do groundedly believe there is many a Soul now in Heaven, that was an Archbishop, Bishop, Dean, Archdeacon, Chorister, Church-Warden, Sidesman, Chancellor, Surrogate, Official, Advocate, Proctor, Register, Apparitor on Earth, that is, who bore some Office in the Episcopal Government, and was faithful in his place, and accepted of God, and did good. And I know nothing in any of these Offices simply repugnant to Holiness, and the substantial of godly Order, Discipline, and Government, if they which bear the office were but faithful, and did not by male-administration abuse their Office and Authority. No Law in Church or Commonwealth is of any force against the Word of God, nor any Decrees of Councils. The Bible is the Religion of the Church of *England*, and the thirty nine Articles, the Homilies, the Church-Canons, the Liturgy, and the Laws and Usages of the Kingdom faithfully expounded according to the Word of God. So that by the Government of Church and State whatsoever is absolutely sinful, is forbidden: and if any man under pretext of Law do a thing which is flatly sinful, or require another to do it, the Laws of Church and State declare it to be null and void. And if there be Judges and Magistrates in *England*, it pertains to them to be a terrour to evil doers, and a defence to them that do well. And therefore if there be corruption in the Government,

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ment, the blame is to be laid upon the Governors and upon the coercive Judges and Magistrates. If they be base and Tyrannical, and will not do Right and Justice, what remedy is there but patience, and waiting in hope for better Times, and above all for a better World?

Object. But where do we read in the Scriptures of the Chancellors office, and doing Excommunications and Church-censures as is done with us? And where do we read, that they had any such way of disciplining the Churches in the Primitive Times as we have? And when was it known, that the Bishops and their Courts and Officers were not hinderers of goodness, and sought their own things rather than the things of Christ?

Answer. We do a thousand things warrantably for which there is no particular express Command in all the Bible. If Excommunications and Church-censures be well and soundly done with us, no man may reprove them. If they be otherwise, who is in fault? Were not the same vices and corruptions in the Primitive and Apostolical Times as are now? Was there not a *Diotrophes* then? *Joh. 3. 9, 10.* If the Bishop, or the Chancellor, or any Officer of the Court shall do any thing contrary to godliness, and which is scandalous, he may be complained of to the Magistrate or secular Judge, and the proper Pastor of the place may publicly admonish him; and if he be obstinate, he hath power to bar him from the Sacrament, and denounce him Excommunicate.

Object. But who dare do that? *Answer.* He that dare fear God, and love Jesus Christ, and do his duty, and suffer rather than sin. Shall good Laws be

be blamed, because bad men break them, and because they do not execute themselves?

Object. But by this you plead the Non-Conformists Cause. *Answer.* And I hope I do not unplead the Conformists Cause. I have read of one *St. Ambrose*, a Bishop in ancient time, that did excommunicate the most godly Emperour *Theodosius* for a particular gross misfact: and the Emperour humbled himself, and made open Confession of his Crime before he was absolved. And if any Bishop or Archbishop of *England*, or any Chancellor or other Ecclesiastical Officer shall grossly misdemean himself, and do a scandalous Crime, he is not only punishable by the Magistrate or secular Judge, but if he live where I am Pastor, and be a Member of my Congregation, I must needs look upon my self obliged by the Laws and Canons of Church and State, by the Word of God, and by the Rules of the Common Prayer Book, and the Justice of my Office publickly to admonish him; and if he shall not by open Confession give satisfaction to the Church, bar him from the Sacrament, and declare him disorderly and contumacious, and that if he do not repent, he shall perish, and warn all the people to beware of such evil courses, and to have no more to do with him than needs they must. And this I maintain to be a part of the Discipline and Government of the Church of *England*. For no mortal man is above the Word of God faithfully applied, and godly counsel and admonition. But good Laws and Discipline will not execute themselves. I tell you, if the Parish Ministers would but prudently, faithfully, and courageously

ously do their duty, the Bishops, and Archbishops, and Chancellors, and all the whole Kingdom would be in as much awe of them, as Herod was of John Baptist, and as Theodosius was of Ambrose, and David of Nathan; and as in the Primitive Times they were of the Pastors of the Churches, when they did more dread Excommunication than death.

S E C T. XXVIII.

Touching the expounding, subscribing, and declaring of publick Oaths, Subscriptions, and Declarations.

IT is a calamity to the Church when doubtful and unnecessary things are imposed upon Ministers, and we may not have leave to go to Heaven the same way that Peter and Paul, and all the first and most renowned Christians went, without burdensom clogs and additaments. But when such things are, it behoves a wise and holy man to do as well as he can; and if he can, to conform throughout, if not that, to conform as far as he can. I am but of small reading and experience, and yet I have met with some things which do favour the Cause of Conformity, and I find the most eminent Non-conforming Ministers approving and subscribing to Doctrines and Matters as faulty and exceptionable, as some of those which they tax in Conformity, if not more.

Mr. Baxter doth in his Confession, page 14. [without any exception or limitation] *heavily approve*

approve of the shorter Catechism of the Assembly, and of all therein contained, and takes it for the best Catechism that ever he yet saw. But if his own Catechism consisting of twelve Questions and Answers was then extant, for method, plainness, fulness, and brevity, it doth to the discerning of understanding and impartial men much excel that of the Assemblies. And he himself approves the Method of the Church-Catechism before most others which pretend to greater accurateness, and it is likely he meant the Assemblies for one. I do the rather note this, because one of his exceptions against the Liturgy is, That the Prayers want orderly method. I will name two exceptions, and but two, against this Catechism which he doth so approve, and which many do so highly esteem, and so do I: but withal do perceive that it hath its *Nevos*. A fair face may have spots. I intreat that none will be prejudiced against the truth, and that they will but allow to the Subscribers of the Liturgy so much candour and charity as themselves will expect to be shewed to the Approvers of that Catechism, so far as the cases are alike.

The second Answer of that Catechism is this: *The Word of God which is contained in the Scriptures of the Old and New Testament, is the only Rule to direct us how we may glorifie and enjoy him.* I doubt not but their meaning is sound. But if you take the words as they are, and as they signifie in the usual sense of words, they are not sound. Scripture is not my only rule. It is but one way of notifying Gods mind to us. So doth Mr. Baxter copiously teach in his Writings. So is the opi-

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nion of all Divines. Bishop *Sanderfon* in his Lectures *De Conscientia* confutes this Doctrine, and proves, that not the Scripture, but *voluntas Dei qualitercunq; revelata*, Gods Will made known to us, whether by Writing or otherwise, is the adequate Rule of a Christian. The Scripture can but do its own part. It is sufficient *in suo genere*, but not *in omni genere*. To say it is the *only Rule* is to over-do: and yet I doubt not but they meant soundly: but words and meanings are two things.

My second Exception is this; The Catechism having answered and described what God is, he is a Spirit, infinite, eternal, and unchangeable in his Being, Wisdom, Power, Holiness, Justice, Goodness, and Truth, he is one only, the Father, the Son, and the Holy Ghost; proceeds in the following words to ask, *What are the Decrees of God?* And the answer is, *The Decrees of God are his eternal purpose according to the counsel of his Will, whereby for his own Glory he hath fore-ordained whatsoever comes to pass.* Now by the Decrees of God you do either mean something distinct from the Being and Attributes of God before described, or you do not. If yea, then you would do well to tell us what these Decrees are, and how many they are, and what there is in God from Eternity distinct from himself, and to make it so plain, that all may understand it, and it may be counted a Foundation-point, and fit to be put into all Catechisms. If you do not, then there needed not a new question and answer to open and describe that which was substantially and better described before, especially in a Catechism pretending

tending to such accurateness both as to matter and method. Shall we put that into a Catechism of Fundamentals and first Principles, to be taught to Children and ignorant simple people, which is deep and inscrutable, and doth exercise and even conquer the understandings of all the most profound Divines in the World? And they cry out, *In sola ignorantia quietem invenio?* Shall we teach plain things by obscure, and bring down God to humane Models, and imagine a number of Decrees in the Divine Essence from Eternity, when he is one only incomprehensible Act or Essence, and there is nothing in God from Eternity but what is God? I deny not but that we may and must speak of God as we can conceive of him, and as he speaketh of himself in Scripture, and so after a sort ascribe Purpose and Decree to him. But it is an error in Catechistical Divinity to interweave perplexing points. And it is an error in true Method to begin with that first which is obscure, and which should come behind. There where Election doth first break forth, and differencing Grace doth shew it self, it should be taken into the Scheme or Method of Divinity, if it must be treated of as a distinct Head. For how Election is in God, is unto us an unsearchable point, and to treat of it in that sense as distinct from his Essence and Attributes is above man: but as it shews it self in effectual calling and differencing Grace in time, so it is most wholesom and practical Doctrine, all good being from God, all sin from man.

Moreover it is true, that from Eternity God hath fore-ordained all things which come to pass.

we may speak that which is true concerning the absolute Decree of the Divine will to save and reprobate men, and yet not in that due manner in which we ought to speak. Davenants Animadversions on the Treatise called Gods Love to Mankind, pag. 300. Pag. 301. he blames those which deliver the Doctrine of Gods Decrees defectively, barely and abruptly mentioning the infallible end and absolute event predetermined by God on either side, but speaking not a word of the several means, conditions, or ways whereby those several ends are attained. The same error is in the Assemblies larger Catechism. But in their Confession of Faith, Chap. 3. Art. 1. it is otherwise. For the whole truth is expressed together, and no material part is left out.

in Conformity, and let the impartial judge, if Conformity be not upon equal terms with Non-Conformity, and justified by it.

Confession, pag. 18, 19.

But if the best of Divines and Writers upon these points, as Augustine, Davenant against Hoard and others say true, it is an evil and incautelous expression, because it leaves out a necessary and material part of the truth which should be conjoynd with it, and which being omitted, Satan hath advantage to suggest this thought, God hath from Eternity fore-ordained thee to be saved or damned; if to be saved, thou shalt be saved, live as thou listest: if to be damned, thou canst not escape it, though thou do thy utmost. And practical Divines know by experience what a precipice and powerful refuge of profaneness and security this is to many.

I expect to be taxed for these Exceptions. I may say in some sort as Paul, Te have compelled me. Compare cause with cause, exception with exception, subscription with subscription as to many things

Mr. Baxter offers to subscribe

scribe the Assemblies larger Catechism, with the liberty of an explication, though there be something therein which, he says, is expressly in terms contrary to Scripture. So also with the same liberty he offers to subscribe the Assemblies Confession, and the Articles of the Synod of *Dort*, though he plainly says, that some of the points therein are beyond his reach. *Confession, pag. 20.*

It is very well known what distances there were between the Lutherans and Calvinists or Sacramentarians, and how ambiguously the Augustane Confession was penned in favour of the Lutherans Consubstantiation and Ubiquity. Mr. Calvin writes, *Epist. lib. pag. 224.* That some *sub umbra Confessionis Augustanae, pacem & otium captando, molestias, odia, crucem denique fugiunt* — And that by pressing subscription to it, and being precise for it, *clara luci tenebras obtendere conantur*, and that without an explication, *nisi adhibita dextera interpretatione*, it might not be simply received without peril to the Churches, and subscription to it without a *Salvo* would prove the matter and beginning of many contentions. And yet with an explication he did willingly subscribe it; *ibid. pag. 182.* and so did Bucer, Zanchy, and many others who were no Lutherans. And as for the Lutherans themselves they subscribed it, and do to this day, as is most likely, without any explication at all: and they were the first Protestants.

A certain Divine writing to Mr. Calvin for his Judgment about Subscription to the same points, having forborn for some time, and he must do it or quit his place, Mr. Calvin writes to him in

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Zanchii oper. tom. 7.
pag. 31, 32.

these words— *Quod sententia qua malo & captioso artificio ad obscurandam veritatis lucem*

*composita est, hactenus subscribere non ausus es, cor-
date fecisti: præcisè tamen ut recuses, non consulo—*

*Nunc ergo exceptiones interponere necesse erit, quæ
te molestiâ liberent, si admisse fuerint: quoad fieri
poterit dandam operam censeo, ut tuâ moderatione
Ecclesiam tuam conserves, cujus dissipationem molimur:
idque ut facere contendis, etiam atque etiam
rogo.* See also Mr. Baxters directions and advice
to the same purpose in his Directory, Book 3.
about Oaths and Vows, pag. 28. Rule 13.

Zanchii oper. tom. 7.
pag. 30.

Notable is the case of that
learned and holy Divine Zanchy in the long and great Contest between him and his ve-

noxious Adversary *Amberbachius*; the issue where-
of by the Appointment and Arbitration of the
Judges between them was, That either he must
quit his place which would be joy to his Adversaries,
a grief to all his friends, and to all the godly,
and a loss to the Churches; or subscribe to
a Test or Doctrine so worded and contrived, as
seemed to be for a gin and snare to him; and his
Adversaries thought, if they could but get him
to subscribe it, the day was theirs, and he had
proved himself either false to his conscience by
stretching the words to a contrary sense to escape
the cross and keep in his place, or a desertor of his
former Doctrine and Principles to his great discredit.
The wise and good man did but desire of
his Judges, that he might understand the words
in the sense of *Augustine, Luther, Bucer, and*
subscribe

subscribe them, as soundly meant by those which drew them up, according to the true sense of the Augustane Confession, and the Form of Concord between *Luther* and *Bucer*: his Judges would neither say yea nor no. He taking their silence for consent, made a cautelous Subscription: this Form of Doctrine, *Ut piam agnosco, ita etiam recipio*, that is, (as himself expounds the words) as pious or piously meant and construed I owne and subscribe. Some both friends and foes traduced him, as though he had used deceit and equivocation, and others as if he had receded from his former Doctrine. But Mr. *Calvin* and the grave, impartial, and wiser sort were all glad, and approved him in it, as knowing his prudence and integrity, and afterwards he published the whole matter for satisfaction to the Churches. In the way that many do defend Conformity, it is not to be defended: Understand things in one sense, and they are plainly bad: take them in another sense, and they are good. I am not bound to the sense of this or that man, but to make the Law to expound it self, by laying and comparing all the parts together, and in doubtful cases taking the safer side, thinking it my duty to have as large charity for my Governours, as with justice and reason I may and ought. The sense of the Law is the Law. Deeds as well as words do expound a Law. Oaths and Subscriptions are *stricti juris*, that is very right: but yet there is a just and safe mean between sensual and dishonest laxness, and censorious and uncharitable rigidity. If you rigidly interpret the Oaths of Allegiance and Supremacy, I believe I could start

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such scruples and exceptions as would render them both suspicious and doubtful; to say no more. Do but note the ordinary Oaths of Jurors at an Assizes, Sessions, and Leet-Court: You shall diligently inquire, and true Presentment make of all such matters and things as shall be given you in charge, as of such also as shall come to your knowledge touching this present Service, &c. Why, if you rigidly construe this Oath, I wot there will be more offenders to be presented than all the Judges and Courts can tell what to do with. So also the Oaths of Judges, Justices, Sheriffs, Corporation oaths, Constables, University and College oaths. If you rigidly interpret these, you may perhaps find exceptionable matter in them as true and considerable as many of the points in Conformity. Custom and common use doth fix the interpretation and sets rules thereto; or else they would be dangerous to mens Souls. For my part I lament it as one of the diseases of the Times, the frequency and multitude of Law and Office Oaths and Subscriptions among Christians. Quakers be in one extreme, and Anti-Quakers be in another. We have a custom with us, that Noble men and Peers shall not be sworn. Their Honour shall be to them instead of an Oath. Sure I am, that to be a Christian is more honourable than to be by carnal birth and breeding a Noble man. *Not many noble are called,* 1 Cor. 1. 26. One of the Emperours gloried more that he was a Christian than an Emperour. There are multitudes of Oaths in the State and in the Political Government, that seem liable to the same exceptions which the Oaths and Subscriptions in

Confor-

Conformity are, and yet the one is thought lawful and a duty, and the other counted horrible sin. Reordination is no more sinful in it self than re-marriage; and yet the one is counted very lawful, and the other very unlawful. Pluralities, Non-residencies, Surrogates, Officials, and Suffragans in the Church are counted great crimes, while the same things in the Commonwealth are counted innocent, no man blames them. One and the same Ceremony is Wickedness and Idolatry, and a breach of the second Commandment in the Church and a new Sacrament, which is a harmless and lawful Rite in the Commonwealth. What Warrant have we from Gods Word and sound Reason to make so great odds between the Church and Commonwealth? Certainly the Church is the Commonwealth of *Israel*, and the Commonwealth of *Israel* is the Church; *Eph. 2. 12.* Even those whom we call the Lay-people are in a large sense Ecclesiasticks; *De Ecclesia*, and the Lords Clergy or Inheritance, *1 Pet. 5. 3.* the Original. *The chief of all the people, even of all the Tribes of Israel, presented themselves in the Assembly of the people of God, four hundred thousand foot-men that drew sword, Judg. 20. 2.* Even the Parliament consisting most of Lay-men is a Christian Synod or Ecclesiastical Assembly, made up of Christian Nobles and Governours under the King as Supreme, and all Christians as such are Members of the visible Church. How many things could I name in the course of Magistracy and Political Government and Judicature which are praised or allowed, because they pertain to the Commonwealth, when yet

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yet the same things in the Church, the same I say as to universal reason and equity, are thought to be hainous crimes. I may perhaps name some in the end of this discourse. At present it may not be amiss to take notice, that the Duties of the Second Table are a part of Religion as well as the First, if the Holy Ghost be not mistaken, *Jam. 1. 26. 1 Tim. 5. 4. To the pure all things are pure.* Whether we eat or drink, or whatsoever we do, we are to do all to Gods glory, and walk as in Gods sight. Sanctification is of the whole man, and of all our ways, as well in things common as sacred. The Magistrate is the Minister of God, *Rom. 13. 4.* as well as the Preacher. And those commands of doing all things decently, and in order, and to edification, do concern Family and Commonwealth matters as well as Church matters. Sin in the Commonwealth is sin as well as sin in the State. Even Kingdoms and Nations may and are to be holy to God, and such be all Christian Kingdoms, separated from the Gentilism and pollutions of the unchristianized world. All the Laws and Civil Sanctions of the Kingdom are Laws Ecclesiastical, they are ordained by those who are Members of the Church Catholick, for the good Government of Christian Souls and Subjects in all godliness and honesty, and in quiet and concord. Even Laws Judicial and Ceremonial are truly Moral. For to be a Law for the Regulation of mens Manners, and not to be Moral, is a contradiction: it is no less than an absurdity in terms to say *Moral Law*, because every Law is Moral. Nor doth the Scripture any where use the term *Civil Magistrate*; but rather Judges and Magi-

Magistrates are called Gods, and Ministers of God, and Rulers over the people of God. And their office is Divine and from God as well as that of Pastors and Teachers. It is by Jesus Christ that Kings reign, and Princes decree Justice. For all power in Heaven and in Earth is given unto him, and Princes, Pastors, and Parents be all the Officers and authorized Servants of Christ in their several Callings and Functions. And with the favour of Learned and Religious men I conceive, that it is more proper, and agreeable to the language of the Scripture to call the Magistrate by the name of a Magistrate barely and simply, than with the addition of the word *Civil*. For the word *Civil* is as truly applicable to the Pastor as to the Magistrate. It is not any note of distinction or addition proper to the Magistrate more than to the Minister. There are indeed City and Country-Magistrates, and so there are City and Country-Pastors; but the Magistrate as such is no more Civil than the Pastor. I do not make a controversie of words; but I may teach my self to speak properly, and in opening and arguing the truth, it should not offend any, if I open the ambiguity and mistake of words. For errours in words do lead to errours in things. And as it is one extreme to think there is no distinction or difference between the Church and the Commonwealth or Kingdom, things sacred and things common, the Pastor, the Parent, and the Magistrate, Church-Rulers, Family-Rulers, and Commonwealth-Rulers, spiritual and coercive castigations, Church-justice and Commonwealth-justice, and Church-order and Commonwealth-

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wealth-order: so I think it is another extreme to imagine too wide a difference between these, and conceit that Holiness, Order, Sacredness, Piety, Solemnity, and Justice are appropriate to Church-government and Church-rulers. As if we had one God to serve in the Church, another in the Family, another in the Market, another in *Westminster-Hall* and Courts of Judicature. Certainly this is an error. We cannot be too exact and precise to serve God; but we may be too precise about some points and less weighty parts of Gods Service, and external order both in Family, Church, and Commonwealth. For that Rule holds good in all: *God will have mercy rather than sacrifice*; and, *All things are lawful, but all things are not expedient*. And as we will bear with many things amiss in the Family and Commonwealth for the sake of Family and Commonwealth-peace: so ought we to bear with many things amiss in the Church for the sake of Church-peace. Whoever shall impartially weigh things, and not suffer custom and addictedness to old inveterate fashions to impose upon his judgment, and create prejudice in him against plain and honest truth, because it may seem to smell of novelty and pragmatism, will perceive many defects and disorders in the administration of Christian Commonwealth-justice, in the order and government of Christian coercive Courts and Judicatories, and the management of the calling and profession of Judges, Mayors, Sheriffs, Justices, Magistrates, Lawyers, Constables, yea and of Parliaments themselves and their Privileges and Exemptions according to the Laws and Customs of this

this Christian Realm, as well as in the Church, and in the Ecclesiastical Government by Archbishops, Bishops, Archdeacons, Deans, Chancellors, &c. And yet who blames the former? Who doth not love and highly esteem the name of that most wise, faithful, and excellent Judge *Hale*, eminent for Justice and Piety? Who blames him for conformity to a multitude of unperceived or tolerable and incurable corruptions and disorders in the order of Christian Courts and Judicatories, which are perhaps as great a pollution of Commonwealth-justice, as is the use of the Cross with us in Baptism a pollution of Baptism? Who thinks the ordinary Oaths of Judges and Commonwealth-Officers which bind them to be conformable to the Laws and Customs of the Realm, and to administer Justice according to the same, to be sinful and dangerous?

S E C T. XXIX.

A further Declaration touching the words of Assent and Consent, and publick Oaths and Subscriptions, and what are the just Parts and Contents assented to by Conformists, and the equitable meaning of their covenanting and promising Conformity.

THE late Covenanters in England, Scotland, and Ireland have been a temptation to many ever since to make publick Oaths and Subscriptions with Allowances, Abate-

I suppose that even the Covenanters themselves do not look upon the Introduction or Preface to the Articles of the Covenant as any part of their Oath, but a recital of matter aply

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preparing the way to the binding, covenanting words. Commentaries are no part of the Text. It is not denied but every word and syllable in the Common Prayer Book hath its use. But that cannot possibly be the meaning as is before demonstrated. The words of assent and consent are to such things only as Ministers are by the Rules of the Book to pronounce and use in their Officiating and Ministrations; so much as is enough for Uniformity and universal agreement in Gods publick worship. If you rigidly insist upon the letter of the Law, there will hardly be one Bishop, Divine, or clergyman of the Church of England, but he will be found to be a breaker of Conformity. And can we think it was ever their meaning to screw up things to such a height?

use of a *Salvo* it may be subscribed, which would be horrible sin and scandal. And it is as necessary to be cautioned on the other hand, that such is the darkness of mens minds, and so great is the penury of words, and so unskilful are most

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Abatements, Explications, Salvo's, and Meanings; I do not say Jesuitical, false, and subdolous meanings. I believe multitudes which took that Oath, as meant by them, and in the sense which they swore, the matter which they swore had nothing in it simply evil: though I believe many mistook much of the matter, and ignorantly swore to contradictions, thinking good to be evil, and evil to be good. I conceive that great caution is to be used on either hand in such cases. For on the one hand it is to be cautioned, If you go too far in the use of Meanings, Salvo's, Explications, and Senses, besides the precise letter of the words, and the simple meaning and import thereof, as usually understood, all Faith will be violated, and there is scarce any Idolatry or false Doctrine and Religion, but by the Jesuits trick of Equivocation and the

in the Art of wording things, and cloathing their meaning with apt proper expressions, that I know but few things in the World done and composed by men, which will not need a gentle and candid meaning somewhat besides the words to make them orthodox and currant, as the Creed commonly called the Apostles Creed, yea and the Nicene Creed, and all the Confessions of the Reformed Churches, and all their publick Catechisms, and the most of all the Oaths respecting Magistracy and Civil Government and Offices in the Commonwealth, yea and ordinary Prayers and Sermons uttered by most noted godly men, and who are thought to be the most exact and skilful in the Art of framing and placing words; and to name all in one, the Translations of the Scripture it self, even all that be extant. There is then certainly a mean between too great a use of Meanings, Salvo's, and Explications, and just none. And when all is said that can be, cases and instances may so vary, that no precise Rules can be set, such as will fit every case, but much must be left to the prudence and sincerity of each particular person with the best advice of others that he can procure. It was no sinful Equivocation in Christ to say, *Destroy this Temple, and I will build it again.* The Jews thought he meant the outward Temple, but he spake of the Temple of his Body. It was no sinful Equivocation in him to answer neither, yea nor no directly to the ensnaring question of his Adversaries, *Is it lawful to give Tribute to Cesar or no? Give unto Cesar the things which are Cesars, and to God the things which are Gods.* Nor was it any sinful deceit in Paul

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to cry out in the Council, *I am a Pharisee*. There is some guile which is not culpable, otherwise the Apostle would not say, *Being crafty, I caught you with guile*. All men do well allow of Stratagems in War, and it is the Precept of Christ *to be wise as the serpent, as well as innocent as the dove*. I owe to all men humanity, and the observance of that Rule, *All things whatsoever ye would that men should do to you, do ye even so to them*. I may not by fraud and dishonesty deceive an Enemy, a Robber, a Tyrant, to whom I owe nothing but common humanity: but I may innocently permit him to deceive himself. And it may be lawful when it conduces to a publick good to do so by my lawful Rulers, and even by my dearest friend. It is good for them to be deceived for the better, I owe them justice and charity, and I do not violate either when I take words in the plain and common meaning, though it is possible they may mean otherwise: for the stretch is not on my part, but on theirs.

For instance, to come closer to the point, the words of the Law are, *That the Minister shall publicly declare his unfeigned assent and consent to the use of all things in the Book of Common Prayer contained and prescribed, in these words, and no other. I A. B. do here declare my unfeigned assent and consent to all and every thing contained and prescribed in and by the Book, intituled, &c.* What better Exposition can we have of the sense of these words, both as to extent and intent, than the uniform practice of the Church and of all conformable Ministers, from the beginning of Conformity in King Edward the Sixth's time to this day? Therefore

ore think I, that which by no usage or practice of any conformable Minister to this day, was taken to be a part of the Liturgy or Church-Service, nor any Rule injoyning the same, nor was or is ever used as a part of the Liturgy or Church-Service, cannot be thought to be included in the words of assent and consent. The Act for Uniformity made *primo Elizabethæ*, which is bound up in the Common Prayer Book, and is the very first thing next to the Title and Declaration of the Contents, doth in a Parenthesis expound the meaning of Common Prayer, and that which Conformists are bound to in these words [Open Prayer in and throughout the Act, is meant that Prayer, which is for others to come unto or hear, either in common Churches, or private Chapels, or Oratories, commonly called the Service of the Church.] Though there be in this Volume which we call the Common Prayer Book many matters, sentences, and words bound all together, yet do we assent and consent to no more but that which goes under the name of the Service of the Church, and the Rules and Orders touching the same, and the Rites and Ceremonies thereof. And this is further cleared by the words of the last Act for Uniformity, whose scope is to settle an universal agreement in the publick Worship of God, as most conducing to the Peace of the Nation, the Honour of Religion, and the Propagation thereof. *And therefore to the intent that every person within this Realm, may certainly know the Rule to which he is to conform in publick Worship, and Administration of Sacraments, and other Rites and Ceremonies of the Church of England, and the*

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manner how, and by whom Bishops, Priests, and Deacons are, and ought to be made, ordained, and consecrated; Be it Enacted, &c. The decision of this cause doth very much depend upon the right understanding and construction of words and things. The Non-Conformists think that they have the letter of the Law on their side: the Conformists think, that if they have not the letter, they have the true sense and meaning of the Law, and common equity on their side.

The Preface before the Liturgy seems to give a plain hint of the true meaning of the words of Subscription—— [“We are fully persuaded
“in our judgments (and we here profess it to the
“World) that the Book, as it stood before esta-
“blished by Law, doth not contain in it any
“thing contrary to the Word of God, or to sound
“Doctrine, or which a godly man may not with
“a good conscience use and submit unto, or
“which is not fairly defensible against any that
“shall oppose the same; if it be allowed such just
“and favourable construction, as in common
“equity ought to be allowed to all humane Wri-
“tings, especially such as are set forth by Autho-
“rity, and even to the very best Translations of
“the holy Scripture it self.]

But there is yet one thing more of which I have given a hint before, which makes exceeding much for the advantage of Conformity, and the clearing of a multitude of doubts and scruples which may arise in the breasts of any, whether Conformists or Non-Conformists, touching the points in variance; and it seems not to be sufficiently observed by the Divines and Disputants

of

of either side. It is those words towards the end of that Part or Rubrick before the Liturgy, intituled, *Concerning the Service of the Church*—

“And for as much as nothing can be so plainly set forth, but doubts may arise in the use and practice of the same; to appease all such diversity (if any arise) and for the resolution of all doubts concerning the manner how to understand, do, and execute [*N. B.*] the things contained in this Book, the parties that so doubt, or diversly take any thing, shall always resort to the Bishop of the Diocess, who by his discretion shall take order for the quieting and appeasing of the same, so that the same order be not contrary to any thing contained in this Book. And if the Bishop of the Diocess be in doubt, then he may send for the resolution thereof to the Archbishop.”

Now I argue thus: Either this is a part of the Common Prayer Book assented to, or it is not. If not, then abundance of the Exceptions of Non-Conformists are cut off, and the matter is left more uncertain, what it is that we are required to assent and consent to. If this be a part of assent and consent, then clearly here is a way enacted by the Parliament for the clearing of doubts, and the Bishop of each Diocess is as it were appointed by the Law to be the common Expositor of the Law, and of such matters and points as be intricate and of doubtful construction, and his construction and determination, while it is in nothing contrary to the Book, is of the same validity to the quieting of doubts and scruples, as if the Parliament had made an explanatory Law.

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A great many things insisted on by Mr. Baxter are rather doubts than positive assertions: if the Parliament would but open and explain their meaning, it would quickly remove those doubts. Now the Parliament here upon the matter says, this is as their mouth, by which they speak to all Ministers, It is possible that there may many doubts and scruples arise in the minds of many about the right sense, use, and execution of the things contained in and prescribed by this Book. For the resolving whereof, and the giving of quiet to scrupulous minds, we do make the Bishop of each Diocese the publick Expositor of the Law, and of all such doubts and scruples as shall arise thereon: and if he shall doubt, then the Archbishop: And what shall be by one or both expounded, declared, and determined, being in nothing repugnant to the Book, shall be allowed as Law. For instance, a Bishop of this Land hearing that one of the Divines of his Diocese, and living near him, gave the Sacrament to some sitting, sent for him to know the reason thereof; and he made answer, That divers of his people did for the present scruple to kneel, in all other points they were orderly and conformable: and he thought it better to bear with their present infirmity, and give them the Sacrament as they could take it, hoping by that means soonest to win them to kneeling, rather than to bar them from the Lords Table. The Bishop was pleased with his answer, and left the matter to his discretion. And many by this means have been won over to the Church and kneeling. And I take it for a ruled decided case throughout all the Diocesses

Diocesses of *England* by the approbation and connivence of the Bishops, that where there are any such scrupulous persons, the Sacrament be given to them as they can take it, till they have conquered their scruples. For so is the practice of the generality of conforming Ministers, as I conjecture, at least of the pious and moderate: and *Lex currit cum praxi.*

So as to the words of assent and consent, it is the declared Exposition of the Bishops, That hereby we do not simply assent to mis translations, and the faults of Printers and Transcribers. We only assent and consent to read the Translation of the Psalms in the Common Prayer Book, and the other Translation of King *James*, which Non-Conformists themselves will not deny to do. We do not say by assent and consent, that there is nothing in all the Common Prayer Book that might not be better; but that there is nothing in it, candidly understood, but what a godly man may submit to, and use with profit and comfort to his own Soul and the people, being thereto required by our Rulers; and if we do not, we cannot have our liberty. We do not assent and promise never to Christen without God-fathers and God-mothers. We promise this, to use the Forms prescribed when there are God-fathers, and to use our best endeavours that there be due God-fathers; but as where nothing can be had, the common saying is, The King loses his Right: so where no God-fathers can be had, we must Christen without. And this is the common sense put upon the Law, by the Law-makers themselves, that is, by the Bishops unto whom it is granted by Law to

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resolve all such doubts and scruples, and a great many points more. The not considering whereof hath made many to censure Conformity very heavily, and Conformists as false to their Subscriptions, when the matter is plainly otherwise.

Two things by some are surmised to be shut out of the Liturgy, Pulpit-prayer *ex tempore*, and singing of Psalms in the ordinary way. Now were it so, that there were nothing in the Title before the singing Psalms, the Liturgy and Canons for either of these, which yet there is, there is universal Custom, time out of mind, none contradicting, all approving, which is equivalent to a Law. Yea the custom of all the Churches throughout the World, grounded upon Scripture and solid Reason, and the Canons of Councils Oecumenical, together with the constant uninterrupted practice and usage of our own Church, is a stronger Law than a particular Act of Parliament in many respects, though it may want the extrin-sick formality of a Law. For to a Law there are required but these two things, the matter of it being presupposed, Authority and Promulgation. Now these two, *ex-temporate* Pulpit-prayer and singing of Psalms are openly promulgate in all Congregations, and both Prince and People, Rulers and Ruled do approve thereof. Bishop *Wilkins* hath writ a Treatise upon Prayer to teach young Ministers the Art of well wording and composing their prayers.

There is one thing to my remembrance in the Preface to the Book of Ordination, which says, None shall be taken for a lawful Minister of the Church of England that is not Episcopally ordained.

dained. Some think Mr. Baxter hath almost over-looked this in his Exceptions ; and they look upon it as one of the hardest points in Conformity. And indeed if this were the sense of the Book, That Ordination by good and substantial Presbyters is null ; and if this were a part of assent and consent, it were a hard point indeed. God forbid that we should unminister multitudes of most worthy and successful Ministers, and unchurch Churches, and unbaptize the baptized, and plead the cause of Satan, the Pope, and all Malignants of the Ministry in the Name of Christ. Let us not wrong Conformity : whether this be or be not a part of the assent and consent, it being, as I suppose, never used in the Form of Ordination, I will not say. But admit it, I am persuaded there is another more mild and gentle sense of the Law, which may well be admitted for the true and just sense of the Law, though the words seem to be otherwise.

1. No man that I know of takes the silenced Ministers and those ordained by Presbyters only, for no Ministers at all, unless, as I have heard, one Mr. *Dodwell*, a high-flown man, whom Conformists themselves do utterly dissent from in this, as I understand. All both Rulers and People, Conformists themselves do owne them for Ministers.

2. Otherwise they would take some effectual course for the re-baptizing of all baptized by them.

3. The Act for Uniformity doth particularly exempt the Divines of foreign Reformed Churches, allowed by his Majesty, from the penalties

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of that Act for exercising their Ministry, not being Episcopally ordained: which proves they took not Presbyterial Ordination to be null.

4. All the Acts against Conventicles prove it, particularly the five-mile Act, as it is called, made at *Oxford*.

5. The Kings Proclamation of Indulgence to the Non-Conformists some years ago, and granting to them Licences under his Seal to erect and make them Meeting-places, prove it.

6. The Indictments, Prosecutions, Fines, and Imprisonments of many Ministers upon the five-mile Act and other Acts against Conventicles, prove it.

7. They are allowed to meet and exercise as Ministers in private, provided they do not exceed the limited number.

8. The common sense of Bishops and Divines and people of the Church of *England* is, That they are Ministers, and that their ministerial Acts are not Nullities; though they may think them Schismatical, and causelessly to stand off from Conformity, yet they do not repute them no Ministers.

But it is like they thought Episcopal Ordination more compleat and excellent, and that it was lawful to be Episcopally ordained after they had been Presbyterially ordained; and it is like they were willing, and thought it expedient to have but one external Form and Order in the Church, and to have all come under the Episcopal Government, and yield to that Form, and that this would be best for all sides. And such as would not be Episcopally ordained and so re-ordained they meant to silence them, and to make them

them incapable of legal maintenance and preferment in the Church, and that others that would should come in their room. This I am perswaded, and no more was their meaning, or is at this day. Whatever was their meaning, it is evident to be their meaning at this day. The Law is not another Law than what it was in the beginning, but it being capable of a more mild, and rough construction, and the more mild construction being that which is now received by all, it needs no Act of Parliament to expound it: for the course of times and things expounds it, and the Law is what it is at this day. But if yet any shall doubt, the Bishop hath power to put it out of doubt, and to declare We do not say you are no Ministers, but for many reasons it is thought convenient that you be Episcopally ordained, which you may without any sin to your consciences submit to.

As to the peoples part in Conformity, I know no one thing required of them to conform to, but what they may do with a good conscience. Were I dissatisfied about the using of the Cross my self, yet I should think it no ground of Separation and Discommunion. And had I a child to be baptized, rather than that it should not be baptized, I would offer it to the Minister to baptize, and if he be minded to use the Cross, he may for me, it is his act, not mine. No person can be compelled to be a God-father or God-mother against their will: and it is injurious to put those from Baptism that can get none. If you cannot kneel at the Sacrament, you may sit or stand, provided you be peaceable, and judge not others, and keep

keep your opinions and thoughts to your self. And rather than be without the Sacrament, I would yield to Episcopal Confirmation.

As touching the thirty nine Articles soundly understood, and in the common sence of Protestants, and with such explications and meanings as I know will be allowed me, and which may well stand and consist with the words, I am free to subscribe them.

S E C T. XXX.

The Conclusion.

Simple Conformity stands upon two points, the old and the new. The old I call those points of Conformity which were in being, and taken for Conformity-points before this last Act for Uniformity was made. The new I call those additional points which came in with this last Act. The substance of all the Exceptions against the present Conformity, saving some three or four points (to be anon considered) are exceptions to the old as well as to the new Conformity, in which the now Non-Conformists have against them a stronger Party of Puritan Bishops and Divines in King *Edward the Sixth's* time, during the Reigns of Queen *Elizabeth*, King *James*, and the last King *Charles*, than the present Conformists are: stronger for multitude, and with the Non-Conformists themselves and all that fear God, reputed men of unsuspected integrity, eminent for ministerial Learning, Wisdom, and Industry;

Industry; their Works do abundantly testify for them, and God from Heaven gave testimony to their Labours. If my memory fail not, Mr. *Baxter* gives account in his Writings against *Bagshaw* or in some other, that upon the matter all the Divines of the late famous Assembly at *Westminster* were Conformists then, and in the times before, the main of all the best Divines in the Nation; for the main body of them were such as *Bishop Hall*, Mr. *Sprint*, Dr. *John Burges*, Mr. *Paybody*, Mr. *William Fenner*, Mr. *Whatey*, Dr. *John Reynolds*, Dr. *Preston*, Dr. *Sibbs*, Mr. *Knewstubs*, and many more of the Flower of our English practical Divines, Conformists and yet a sort of Puritans, that thought Conformity not to be so good and well as is desirable, and yet such as honest and good men might with safety and comfort conform to, rather than be silenced. On the other hand there have been from the beginning and down all along through every Princes Reign successively some holy and good men, inferior to none for Learning, Wisdom, and Holiness, who have partly scrupled, and partly stood off from Conformity, as *Bishop Hooper*, Mr. *Greenham*, *Cartwright*, *Bain*, *Bradshaw*, *Hilderham*, *Dod*, *Angier*, *Middsley*, *Ames*, with the *New-England* Ministers and many more. Now he that will charge either side with gross sin, in my opinion would deserve to be charged with much greater sin.

And it is worthy to be noted, That many of the old Non-Conformists did scruple Conformity to some things which Mr. *Baxter* and a great many of the present Non-Conformists do think to be lawful,

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lawful, as the Surplice, and kneeling at the Sacrament. The officiating part in Conformity was the same then and now, yea as to some things Non-Conformists will grant that the officiating part is better, and the Liturgy by alteration rather reformed. How many things hath Mr. Baxter in his Ecclesiastical Cases decided and determined to be lawful and justly usable when imposed and required by Authority, which many of the old Non-Conformists, men of great Judgment and Piety, thought to be almost Idolatry or some degree thereof? which hath made so many of the present Conformists and others to wonder that he should go so far in approving many things disallowed by many both old and new Non-Conformists, and yet himself be a Non-Conformist.

From the time of King James and the making of the Ecclesiastical Canons in his time, there was the thirty sixth Canon, ordering Subscription to the thirty nine Articles, and to the Book of Common Prayer, as containing nothing contrary to the Word of God, and this Subscription was *libens & ex animo*, willingly and from my heart, with a promise to use the same, and no other; and what is this short of unfeigned assent and consent to all and every thing in the Book of Common Prayer, &c. as this last Act for Uniformity enjoins, saving in this one thing, that before it was to be done in private only before the Bishop, but now it is ordered to be also done in publick before the whole Congregation, which is but a circumstance of time and place? The thing done is the same. One of the hardest points in Conformity with many persons is the use of God-fathers and God-

God-mothers in the English way. And yet this, for ought I can perceive, is a point of Conformity from the beginning. Let it be considered, that Sponsors and Sureties in one sense or other were used by the ancient Churches, and are used by many of the Reformed Churches by the approbation of their best Divines, as *Calvin* for *Geneva*, the *Leyden* Divines for the *Dutch* Churches. Non-Conformists do allow a just use of them, as Sureties for the education of the child in case the parent dye, or prove an Apostate. Now is it not rather to be thought and deemed, that our first Reformers being learned and pious men, and some of them Martyrs, with their pious Successors multitudes of Puritan Bishops and Divines subscribing to the Liturgy in this point, intended no more use of them than the Ancients, and foreign Reformed Churches, and Non-Conformists themselves did and do yield and allow, and such as conscientious persons in an ordinary way may do; than to think that they meant such an use of Sureties as is contrary to all other both ancient and modern Churches, and would make the Book of Common Prayer, and consequently Baptism in that point a piece of gross and solemn deceit and dissimulation either in the Minister officiating, or Sureties, or both? Surely I cannot think so hardly. The greater the crime, the stronger should be the evidence to prove it. I could wish that Ministers would make the parent (except when reasonably hindered) to be present at the Christening of his child, and be principal Undertaker; so is the custom of *Geneva*, and I believe it was so used by the Ancients, it is well consistent with

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with the Liturgy, so did I practise. It is the custom of all Nations in all Contracts and Covenants, that the principal be principally bound, and sign, seal, and consent to the Bond, and the Sureties (if there be any) with him. It is to be feared to the common grief of tis all, that not by Sureties only, but also by Parents and Principals in the matter of Baptism there is too much deceit and false vowing and perfidionness committed as against God, by many whom we must repute Christians of some kind or degree; and this toucheth Non-Conformists as well as Conformists;

The same I may say as to the Forms at the Burial of the Dead, the Cross, Surplice, and Kneeling, the Order for daily Reading of Morning and Evening prayer, the two damnatory Chapters in *Arhanasius's* Creed, and a great many things more insisted on by Mr. Baxter and other Non-Conformists, they are all exceptions against the old Book and its Rites: Archbishops, Bishops, Chancellors, &c. and the Forms of Ordination, with oaths and promises of obedience, were then as well as now, with no difference. And here I would note, that it should seem that that which is commonly called the Oath of Canonical obedience to the Ordinary, which Deacons and Presbyters make, doth not include the Chancellor. We do swear or promise reverently to obey our Ordinary and other chief Ministers of the Church who shall have the Charge over us, &c. An Oath being *stricti Juris* must not be stretched beyond the common sense without apparent great cause. Whom must we understand by this word Ordinary, if not the Bishop, because the following words

words: are *other chief Ministers of the Church*. Now the Chancellor is no man in holy Orders, he is neither Bishop, Priest, nor Deacon: and the Church of *England* acknowledgeth no other Orders in the Ministry. The word *Ordinary* must of necessity mean some person in holy Orders, because of the word *other*: but the Chancellor is none such. Then for the following words, *other chief Ministers of the Church*, these do exclude the Chancellor. He is a Lay-man. He is not so much as a Deacon in the Church. He is rather *Calvins* or the *Presbyterians* Lay unordained ruling Elder, than a man in holy Orders. As King *James* says of Cardinals, their beginning was only Parish Priests and Deacons in the Town of *Rome*; so the beginning of Bishops Chancellors was only Parish Lay-Judges and Arbitrators for trivial worldly matters in the Town of *Corinth*, 1 Cor. 6. 1, 2, 3, 4, 5. They are so far from being chief Ministers of the Church, that they are not so much as the lowest Ministers, no not Deacons. If you ask me, Who then do I understand by those words, *other chief Ministers*? I will rather expound them of the Archbishops, of the Cathedral Dean and Chapter, of the Archdeacon, of the rural Dean, of Suffragan Bishops, than of the Chancellor. For all those bear Office in the Church, and are men in holy Orders, and have some more ordinary Office and Authority in the Church than common Presbyters and ordinary Parish Ministers.

And as to Discipline every Presbyter at his Ordination receiveth the power of the Keys, and Authority to administer Discipline according to the Word of God, and the custom of this Realm.

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The custom of this Realm makes the Parish-Ministers Rectors over their people, and commits to them *Curam animarum*. They are invested with just Pastoral Authority to take in and to cast out, to difference by Doctrine and Administration between the clean and the unclean, Christians and no Christians, orderly and disorderly Christians, with due fraternal self-denying, godly and peaceable reverence and obedience to the Diocesan Bishop, (who is to them as *Titus* was by *Pauls* Ordination and appointment to the Churches and Pastors in *Crete*, *Tit.* 1. 5.) and in concord with all the other Churches. To have *Curam animarum* and Authority by Doctrine and Administration to difference between Christians and no Christians, orderly and disorderly Christians, in regular Communion with neighbour Pastors and Churches, and the Bishop as President, is compleat Pastoral Authority, and this all the Parish-Ministers throughout the Kingdom have. The Chancellors Office can be no bar to Conformity: we swear or promise no obedience to him; yet if we did, *Mr. Baxter* in his Cases hath proved it to be lawful. There is something in his Office (should no more be granted him but to be in the place of *St. Pauls* wise man, *1 Cor.* 6. 3.) which is originally Divine and from God, which being confirmed by Civil Authority, we may lawfully owne so much, and so much as we may owne, being commanded and necessitated, we may lawfully swear: as a Subject of the Pope may swear Allegiance to him as the King of *Rome*, and yet not thereby owne his traiterous Headship over all the Church. If the Chantellor were an ordained Minister,

Minister, no man would deny him the power of the Keys. If he be a qualified person, being authorized by the King and Kingdom, and allowed by the Bishop, all this is a fair step to Ordination. He may so do his office, as never to excommunicate or absolve, but to leave that to the Bishop and Presbyters. The substance of his Office is just Judgment, which he may do if he will. There is no Office in Church or Commonwealth is exercised by man without corruption. In Gods part in the founding of Offices is pure; but mans part is defective. And the Chancellors Office may be so used and managed as to be tolerable; and what is tolerable may be owned and submitted to rather than silencing. And the Solemn League and Covenant being an Oath for Unity, Order, and Reformation, bindeth to reform nothing which may well be born with, and cannot be reformed without making things worse. If the Chancellors Office must be done by another man, or by a number of men, it is possible that he or they may misexecute it, and at one time or other abuse it as much as he. And if fault were known, and fully opened, perhaps, yea probably, yea certainly Civil Courts, Judges, and Judicatories would be found as taxable and faulty in some things as Consistorial Courts, Judges, and Officers. To enquire what would follow here.

As for the divers Orders of Ministers in the Church, there are, as it is generally thought, divers Orders of good and bad Angels, in an Army divers sorts and orders of Military Officers, in the Commonwealth divers Orders of Nobles, Gentlemen, and Plebeians, divers Orders

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ders of Judges and Magistrates, Physicians and Licenciates in Physick, Lawyers, Students and Practitioners in the Law-Science, School-masters and Teachers of Youth, divers Orders of Scholars, of Artists, Tradesmen, and Engineers, of Masters, of Servants, of Men, of Christians, good and bad. There were divers Orders of Ministers under the Law, and during the time of Christ and his Apostles. Without doubt there is a holy and well regulated both equality and inequality among Ministers. The highest Pastor is but a Pastor under Christ; so is the meanest Pastor: yet is there a difference between an infant and a man, the eye and the foot, no member is unuseful, every member is not alike useful. I desire those which deny the just and fraternal Superiority and Episcopacy of eminent senior Pastors and Ministers over vulgar and junior ones, well to weigh the case of *Corah* and his Complices. *Corah* was an eminent Levite, of the Order of the *Kohathites*, which was more sacred than the other two of the *Merarites* and *Gershomites*. He not contented with the order and degree of an inferior eminent Levite, would needs be equal to *Aaron*, and seek the Priesthood, and for that end joyned with him certain others Heads of the Congregation, who rose up against *Mose* and *Aaron*, and we know what became of them, *Num. 16*. England is a National Church or Christian Commonwealth, as was the Commonwealth of *Israel*; this doth nothing prejudice the Constitution and Government of particular Churches and Congregations in City and County. There is in a good and sound sense the Church

Church of *England*, or the Church of God in *England*, consisting of all the Christian people in *England*, as distinguished from Heathens, Infidels, and no Christians, and the Christians of other Kingdoms and Countries. There are in a good and sound sense multitudes of Churches or particular Congregations in *England*, governed by their respective Pastors, according to the language of the Holy Ghost, *Gal.* 1. 2, 22. *Rev.* 1. 4. The King is Supreme Magistrate, as was *David*, *Solemon*, *Jehosaphat*. Under the Law they had Synagogues for the people up and down the Land, these Synagogues were equivalent to Gospel Churches. They were holy Societies consisting of Pastor and people, in which the Law was read and taught, and God was worshipped by heavenly resorting Israelites, and the people edified. There were holy Pastors and holy Assemblies then as well as now, *Jer.* 3. 15. *Isa.* 30. 20. *Deut.* 33. 10. *Mal.* 2. 7. *Ezek.* 34. And it was always the Pastors duty by Doctrine and Administration to difference between the precious and the vile, the clean and the unclean, Jews and no Jews, orderly and disorderly Jews, which is the sum of all Discipline. Yet even then God saw it good to constitute divers Orders of Magistrates and divers Orders of Ministers; and besides them one *Moses*, *David*, and *Joshua* as King, and one *Aaron*, *Eleazar*, and *Jehojada* as chief Priest or Archbishop, and to appoint him *Bishop* or Overseer over the rest of the Priests and Clergy. And because *Corah* did insolently affect the Supreme Priestly Office, he was cut off by an astonishing dreadful Judgment for a warning to all after.

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Aarons due and regular Superiority over the rest of the Clergy was well consistent with sound order and humility, and did nothing hinder the due order of the Parish-Churches or Synagogues all the Land over. And the particular order of each Parish-Church and Synagogue by fixed Ministers of the sacred Tribe did well consist with the Presidency and just Superintendency of *Aaron* the high Priest. This Hierarchy was Divine. It is left upon Record in our Bibles. Though I grant the times of the Law and the times of the Gospel do much differ: yet in many things they agree. The due Order and Government of persons and Societies in Holiness and Unity is of the Law of Nature, and of perpetual use to the Worlds end. *Israel* was a holy Commonwealth, a peculiar people of God, no Nation under Heaven had such excellent Laws and Statutes as they, *Deut.* 4. 7, 8. What was proper to them as Jews and Judaical or Mosaical, binds not us: but what was common to them with all other men, and Commonwealths, and holy Societies, compacted by just Superiority and Subjection under God, binds us no less than them. It is prophesied that the Kingdoms of this World shall become the Kingdoms of Christ. *England* is a Christian Kingdom, a holy Nation by profession, separated from the Gentilism and pollutions of the World. Christian Kingdom-order is in a large sense Church-order. Of old God did lead his people by a *Moses* and an *Aaron*, they made but one hand, *Psal.* 77. 20. There were under *Aaron* principal and lower assistant Levites, having moderate independent Pastoral Authority over.

over their Flocks; no way infringing the Presidency of *Aaron*. The most independent man in a heavenly and sober sense is the most Divine man. There is a godly and ungodly both dependency and independency of persons and Societies, Ecclesiastical and Civil. Speaking in the ordinary Dialect I have said before, that Excommunication is twofold, greater and less. But might I explain my self, I think I can prove, that there are more than three or four sorts and degrees of Excommunication both under the Law and under the Gospel, and that there was more strict and rigorous Discipline, Excommunication, and Church and Commonwealth-castigation under the Law, than is ordinarily used under the Gospel, unless it be by savage butchering Persecutors and murdering Warriors. *Par in parem non habet potestatem*, and *par in parem habet potestatem*, both are true in a sound sense.

It is one of the learned Non-conforming *Par-
kers* Exceptions against the English Prelacy, that it is suited to the Government of the State, as though it were a crime for *Moses* and *Aaron* sweetly to concur in the Government of Gods *Israel*, and as though in a Christian Kingdom the Church and the State were two divided Bodies. Neither is the Church properly in the State, nor is the State in the Church, but it is the same persons who do constitute a Christian Kingdom or heavenly Society upon Earth, under one *Moses*, *David*, *Hezekiah* as King or chief coercive Ruler *circa Sacra*, and *Episcopus ad extra*, and under one *Aaron*, *Zadok*, and *Jehojada* as chief Pastor or Ruler *in Sacris*, and *Episcopus ad intra*, having no tyran-

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tyrannical, carnal, and insolent Domination, and yet having a just and limited Episcopacy, Charge, and Oversight over the rest of the Pastors and Clergy within his Province, no way infringing or endamaging the order of the Parish-Synagogues and Assemblies, no way exalting himself in proud State and Lordliness over his Brethren, but ruling by wisdom, by goodness, by love, and Episcopal gravity and authority, making himself an Ensamble to all both Pastors and people; and as he is highest in place and authority, so to be lowest in humility, and most eminent in all Episcopal and Christian graces and vertues. If any man will engage, that the Archbishops and Bishops of *England* shall always be such men as *Usher*, *Grindel*, *Augustine*, *Cyprian*, and all the Parish-Ministers and Presbyters shall be as *Joseph Allen*, *Richard Hooker*, *Preston*, *Sibbs*, *Dod*, *Gataker*, &c. I will engage that no Church in all the World shall compare with the Church of *England* for Holiness, Order, and good Government. For mark you, the Government of persons and Societies, Sacred and Civil, is not as a Pilots steering of a Ship, or a Musicians playing on a Lute, a matter of Art and Cunning, which even an Atheist and the vilest wicked man may do. But the Government of persons and Societies is a work of wisdom, and rational Divine foreseeing faith; and as the men are which govern, so will be the Government in Family, Church, and Commonwealth. Whereas we commonly say, that there are so many Forms of Government, upon the matter all good Government both of persons and Societies, Sacred and Civil,

Civil, Episcopal, Presbyterial, Congregational, *per Regem, per Optimates, per tribunal plebis*, of Families, Churches, and Commonwealths, for substance is but one. How one? one as constituted of the same substantial heavenly Principles, common to all Christian men, Christian Families, Christian Congregations, and Commonwealths or Kingdoms. If you will take an estimate of the English Church-government by what it is as exercised by some ungodly and Saint-hating, coercive and Episcopal Rulers, it is worse in many respects than many places of Heathendom, Heathens have been more kind to Christians, than many Christian Pastors, Rulers, and people have been and yet are to the faithful Servants of God and their Brethren, *Act. 28. 2, 30, 31.* And no marvel when *Jerusalem* of old was worse than *Sodom*, *Ezek. 16. 47, 48.* and the Prince of life, the Saviour of the World was put to death by Gods own people the Jews.

But if you take an estimate of the English Government as managed by a Lord Chief Justice *Hales*, a *Grindal*, and the like holy Men; so it may be said it excels all or most Christian States and Churches in the World. And therefore they which commend, and they which condemn the Church of *England*, the one as best, the other as worst, for ought I know may both say true. For I think in various respects it may be said, there is no Christian Nation in all the World but both we excel them in godliness and ungodliness. It is notoriously evident, that the root of all our differences is not about the skirts and smaller branches of Government, but about the Essentials

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of Government. And yet in these as to Principle we be all agreed; but Ungodliness, Atheism, Selfishness, Infidelity, and other vicious Principles latent in mens hearts, will not give them leave to practise their own Principles. And while we seem to confine all our Disputes to Church-order and Church-rulers, Family order and Commonwealth order, the vices of Family and Commonwealth officers seem to go unregarded. And while we think our main difference is who shall do Gods work, there is almost no difference among sober men about that; but the main of our difference is, whether Gods work shall be done or no, and whether God or the Devil, Christ or the flesh, the Laws of God or the lusts of men shall be obeyed.

What I have said touching the Government of Gods people of old by *Moses* and *Aaron*, by a just Supremacy and Subordination of Magistracy for Government coercive, and a just Harmony and consistent Frame or Order of Ministers for Pastoral Government, I do no further urge, than to moderate the Spirits of Dissenters towards the English Frame: adding this further, That the Levites, the lowest rank of Ministers, were often more upright than the Priests who were their Superiours in Office, 2 *Chron.* 29. 34. Wisdom and Holiness is indeed the most excellent Superiority: but it is not the sole Superiority. One of the House of Commons may be a wiser man than many a Lord in the House of Peers, and many a Captain more valorous than the Colonel, and yet we will allow the House of Lords to be superiour to the House of Commons, and the Colonel

lonel to the Captain. Many things may be lawful and convenient to the Church under a *Constantine* or Queen *Elizabeth*, which would not be so under a *Diocletian* or Queen *Mary*. Devise what way you will of chusing and nominating Bishops and Ministers, you will find no way totally free from inconveniences, and our present way to be tolerable; and if all sides would but duly practise their own Principles, and what is well consistent therewith, we should not need to complain, the Pastors, the People, and the Magistrate would all sweetly concur, and their just Rights be saved to them.

Finally, Whoever shall judge the old Conformity to be flatly sinful in case of deprivation, allowing such fair and moderate construction as may well be allowed, will have somewhat a hard task. If I could I would judge both the old Conformity and Non-Conformity to be equally good and innocent. But because one only can be right as to a particular point, I will be on the side of charity, and think the best I can of both sides. If there had been no more but the old Conformity, multitudes that now stand off would have conformed. So Mr. *Baxter* hints, so also do others.

Come we then to the additional points. One is Re-ordination. To what I have already said, I would but argue in a word more about Mr. *Baxter's* distinction. With us in *England* some years ago, such as had been married by a Justice of Peace were ordered to be married by a Minister, as the more compleat way. This Mr. *Baxter* and all sides grant to have been lawful, and each
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mans wisdom to submit to. This by his opinion is but once Marriage in a moral sense, and yet twice Marriage in a physical sense. Now with all reverence and meekness I argue, Either these were two real Marriages in a proper sense both moral and physical, or there was no real Marriage at all. If neither of them was real Marriage, then they were not Husband and Wife, but they lived in Whoredom, and all their children were Bastards: this I know he will abhor to say. And if the former Marriage was not just and right Marriage, still the consequence is unavoidable, they must live in pollution, and their children be illegitimate till the second Marriage. Now we all suppose the second Marriage solemnity by a Minister to be the more compleat. So that if this latter was not a true, compleat, and entire Marriage both in a physical and moral sense, the heart and tongue concurring, neither was the former, and so there will be no Marriage at all, and so nothing but filthiness. There is no way to avoid this but by yielding the cause, that Marriage, Ordination, Coronation, Baptization, and the like, are things which may be iterated and repeated; and so often as they are done, so often the same thing both inwardly and outwardly, physically and morally is done: to do it without cause is sinful and disorderly; but to do it in urgent cases, as to save life and liberty, is not unlawful, nor any taking of Gods Name in vain, should the same thing be done many times.

Another new point is, that of declaring against taking Arms against the Kings Commissioners, and a third is that about the Covenant. To what bath

hath been said I do add or repeat, that with an honest *Salvo* or Explication both these may be declared, with as much truth and innocency as the Covenanters took the Covenant, yea and more; for they swore against the Kings command. Now I have proved that the Bishop of the Diocese is by Law appointed to take *Salvo's* and meanings, and give ease to scrupulous minds in this and all other doubts, which may arise about any thing in the Book. If the Bishop shall refuse to expound the words to you, and declare the sense to you, it is lawful for you to put your own sense upon them, and not being contrary to the words, but well consistent with them, being soundly meant, you may say in this sense, I assent to them, if the Bishop do either approve it, or hold his peace and say nothing, your conscience is safe, silence gives consent: you do not elude the Law, but justly and honestly fulfil it. And by this means many conscientious persons have been brought to Conformity, and God hath blessed their labours in the Church. For any more new scrupulous points I know none.

An Appendix of Matters Political, pertaining to the Order of the Commonwealth, and the Institution of Magistracy and Judicature, and Conformity therunto.

1. **I**T is of the Law of Nature and Christianity, that all Christian Courts and Judges be Courts of Equity, and have power to do full impartial Right and Equity in all Causes that shall come before

fore them, and that common Law and Equity be the same. But with us many of the most principal Courts of the Kingdom are counted Courts of Common Law, and not of Equity, and the Common Law Judges which are the far greater number seem to be tied to rigorous Rules and Principles, from which they may not swerve, and there are appointed an Order of Courts and Judges by themselves for the doing of equity, and the moderating and correcting of the rigorous extremities and proceedings of the Common Law Courts and the Judges thereof.

2. There seems to be like a Commonwealth-Liturgy or Service-book among us, for which and its words, and rules, and forms the Masters of the Law-science seem to have like veneration, as have the Common Prayer men for the Church-Liturgy and Ceremonies. For the order of the Law is, that all that sue and are sued shall put their matter into a strict form of Law-words, and shall use feigning, and it shall be lawful by Demurrer before Verdict, by motion in Arrest of Judgment after Verdict, and by a Writ of Errour after Judgment to undo the whole Cause for want of a word too little or too much, or mistaken, or through a flaw or defect in the Form nothing material to the substance of the Cause, and the course of Right and Justice. And whereas Scripture teacheth that, *To do justice and judgment is more acceptable to the Lord than sacrifice*, Prov. 21. 3. we have invented a multitude of quirks, niceties, punctilio's, and word-matters so hard and knotty to understand and compose into a legal Canonical form, that it puzzleth even the acutest

acutest and ablest Masters in the Law-science to draw a Plea, Information, or Indictment that shall hold stanch and firm against the exceptions of a subtil-pated Lawyer, and Sacrifice and Ceremony seem to be exalted above Justice and Equity.

3. The true Institution of Justice, and Magistracy, and Judicature knoweth no other persons necessary for the decision of Law-Suits and Tryals of persons for their lives, than Judges, Parties, Witnesses, Registers, Advocates, Serjeants, and Officers for Execution. But we have invented another sort or order of men called Jurors, who seem to have the principal stroke in Judgment and in all Tryals at Law, and yet the name and reverence due unto Judges is not given to them, no nor much of the Office. Whereas it is a rule in Law, that unto whom belongeth the principal, to them belongeth the accessory, and he that gives the end doth includedly give the means. Now the Jurors being sworn to try the issue between party and party, and between the King and the party, it is they who are the Judges for the deciding of the point in question, as truly as is the Lord Chancellor in Chancery, and the Judge Ecclesiastical in the Consistory. And therefore the Jurors ought to be qualified men, and to be reputed Judges, and sit in the place of Judgment, and see with their own eyes, and examine Witnesses, and moderate the Court, and all this as a due and regular means in order to the decision of the Cause, and the giving of Verdict, which is equivalent to a Sentence: for they do as Judges decide and determine whether side is in the right,
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and whether the party be guilty or no. It is the Verdict which is the main and upshot of the matter. The next thing in order, saving the solemnity of the Sentence, is Execution. The Jurors are as true Judges of the Cause, as the Minister is for discerning and judging of mens Right to Baptism and the Lords Supper. The Bench Judges are named Judges; but how if the Jurors give in a false Verdict? As not long since it happened that the Jurors (as afterwards it appeared) being all bribed, gave in a Verdict notoriously cross to the Evidence, to the astonishment of the Judge and all the Court. Now in this case the Judge is hard put to it, he may say as *Pilate*, I know and believe in my conscience this person to be innocent, I sit as Judge, and have the name; but the order of the Law makes the Jurors Judges of the Tryal, they have given in their Verdict, I am bound by it, I cannot cross the point of their Oath and Office. Finally, if Jurors be good and necessary, why not also in Courts of Equity and Consistory Courts? If not good and necessary, then the order of the Common Law Courts seems to be inconvenient and irregular. Neither the Bench Judges, nor the Jurors, do seem to be compleat Judges. And an incompleat Judge is a disorder and *verminus diminiens* as well as an incompleat Pastor or King. God and Nature make compleat independent Judges as well as Pastors. Independent I say, that is in a sound and moderate sense. *It is a Rule in Law, Qui aliquid facerit parte inaudita alterius, equum litis si querens laqueus equus erit.* It is the course of grand Jurors such

us upon their Oath, and others Evidence and Information to pronounce an absent party to have committed this or that crime, before they have heard him speak a word for himself, or any one for him. If it be said that this is only a bare presentment upon Oath in order to a full Tryal and Conviction. Let it be considered, that it is the Verdict of twelve or more Christian men, sworn diligently to enquire, and true presentment make; And it is one thing to be a bare Witness or Informer, another thing to judge upon the Evidence and Information of another, concerning an absent unheard party, whether guilty of the fact whereof he is accused. Afterwards comes a second Jury, and oftentimes upon a full hearing of the Cause, he who was before found guilty is acquitted. *Quere* if this be not cross Swearing; one Jury upon their Oaths says Guilty, another Jury upon their Oaths says Not guilty.

5. The light of Nature teacheth, that Adultery is an iniquity to be punished by the Judges, *Job 31. 11.* And Gods Law of old punished it with death: But I know no punishment that our Law inflicts by the Magistrate for Adultery. But Theft which Gods Law of old punished with restitution and overplus is with us punished with death.

6. If a Prisoner upon Tryal for his Life have never so many substantial Witnesses, not one of them may be sworn for him, but all are sworn against him.

7. In lesser Cases the Law binds all that Sue and are Sued to use Lawyers; in the most weighty Cases touching Life, Lawyers are prohibited.

8. Gods

8. Gods word saith, *Psalm 106. 3. Blessed is he that doth righteousness at all times.* But with us unless you come in Term time, or during the Assizes, Sessions, and sitting of the Court, you must remain without present relief. The late Act of Parliament, as I am told, grants a *Habeas Corpus* to persons wrongfully imprisoned, out of Term; which proves it might not be granted before. *Prov. 3. 27, 28. Luke 18. 2, 3, 4, 5, 6, 7.*

9. The course in Chancery of granting the Writ of *Excommunicato Capiendo* against honest persons upon the Bishops or his Chancellors *significavit* without inquiring into the cause, and hearing the party to speak for himself.

10. We think Excommunication by the Bishops Courts for small matters to be a great crime. But I know none that faults the course of out-lawries by the Law-Courts for small matters. To be Out-lawed seems to be put out of the Kings protection, and to be deprived of the benefit of the Law, which is rather more than to be Excommunicate.

11. The doing of Civil and Consistorial Justice in part, in a tongue not understood by the people.

Finally, I think there is a simplicity of Magistracy as well as Ministry, and that those words of *Paul, 2 Cor. 11. 3.* do concern Magistrates as well as Ministers. And it being the Magistrates Office to be a terrour to evil doers, and a defence to them that do well, it is their being a terrour to well doers, and a defence to them that do ill, which is a principal cause or concause of most Evils in the Church. *He that hath ears to hear, let him hear.*

ERRATA.

Page 12. line 13. read ministry. p. 14. l. 14. for Both r. But. p. 47. l. 25. for a new r. another. p. 59. l. 26. for there r. they. p. 65. l. ult. r. this is. p. 70. l. 3. r. rest. p. 88. l. 21. for if not r. yea much. p. 94. r. 3 John p. 106. l. 19. for State r. Church.

F I N I S.

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SUPPLEMENT

*To a late Book intituled, The
Non-conforming Confor-
mist, &c.*

I Perceive, it is a Controversie between the two Parties; Whether the Words of Assent and Consent do mean only to the use of all and every thing in the Liturgy, without approving them as true and good; so say the Conformists: Or an owning and approving of them as true and good; so says Mr. *Baxter*: and that assenting can be judged to mean no less than that it is true, without gross violence; and that it is more to assent to the use of a thing, than barely to assent that it is true.

I grant that to assent to the evil use of any thing, is evil: But I may assent to the publick reading and honest use of a mis-translation, and not assent that it is true. God himself doth assent and consent to the use of all the lies and wickednesses of Men and Devils, and yet doth no way approve them. And we do all assent and

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consent to read all the Lies, and Errours, and Wickednesses of Men and Devils set down in the sacred Scriptures, without approving them in the least. And if it should be granted that the two damnatory Clauses in St. *Athanasius's* Confession were false (which I am far from saying) yet might we as some think, assent and consent to read them as the words of *Athanasius*, in such sort as we do many false and wicked words of Satan and men historically related in the Scriptures, without approving them in the least. The reading of a Lie is no Lie. Nothing is more plain, than that both in the case of God and Men, there may be an unfeigned assent and consent to the use of sin it self, without approving it in the least. Otherwise God himself would be most faulty, there could be no repentance, and we must cast away our Bibles. But Mr. *Baxter* hath one reason, which, he says, puts the matter out of doubt; and that is a private debate in Parliament between the Lords and Commons, related to him and others long ago by some Parliament Men, none contradicting it; in which it was concluded that the words of assent should mean to all things as true. I believe his Relation, but I suppose he would not have me and all the Kingdom to take this passage in his Book for a Law of the Land: if so, we must have a more full relation of the matter than he gives. The Parliament might think it needless to make any more Law about this matter. I and thousands never heard of any such thing before. Private Debates in Parliament are no Law. There is wanting the Royal Assent, and due and legal promulgation, the two Essentials of a Law; and so

so none can be bound by them. Had the King and Parliament made a new Law, explaining and determining, That the words of assent shall be taken by all to mean to every thing as true; this, indeed, had put the matter out of doubt. But no such Law being made, what was doubtful before remains so still. If private interlocutory Debates in Parliament, without the Royal Assent, and due promulgation, must be taken for current Law, and all the Kingdom must be bound by them, the Government of the Kingdom is unhinged. *Eodem modo quo quid constituitur, dissolvitur.* Nothing but an Act of Parliament can alter the sence of an Act of Parliament. If the Law it self must be its own Judge and Standard, it favours their interpretation who say, We assent to the use, without either saying that every thing is true, or that any one thing is false, because if any thing should be false, the reading and using of it may be godly, as the the reading of many a lye told by Satan, most truly and historically related by the Holy Ghost in the Scriptures. The words of the Law are, You shall publicly declare your Assent and Consent to the use of all things in the said Book: in these words and no other, I *A. B.* do hereby declare my Assent and Consent to all and every thing, &c. And in all places of the Act where mention is made of declaring assent to, and approbation of the Book and all its Forms, as it is mentioned in four or five places besides, still the word *use* is named and inserted; and often, if not always, it is said, according to the Form aforesaid: so that the original Form is the rule and foundation to all that

follows afterward. I know it is said, that the means may be broader than the end, and they may not be broader, at least they are not to be contrary. But if you rigidly interpret the late words of Assent, to mean to all things as true, it is possible they may contradict the words foregoing, and make the Parliament, contrary to their plain meaning, to establish evil. For either the latter words do import something more than the former, or not. If not, then we do but assent and consent to the innocent use of things. If yea, then there is something added and altered which possibly may inconfist and be contradictory. If the words of Subscription had been, You shall declare unfeigned Assent and Consent to every thing in these same words, then the matter had been clear, there had been no room for doubting. But when the Law is precisely, You shall declare Assent and Consent to the use of all things in the Book, in these and no other words; the following words may well mean no more than assent and consent to the use, without hazard to any side. For it is more to assent and consent to a thing, than to assent and consent to the use of it. God himself doth consent to the use of all mens sins; but he doth not consent to, or approve, sin it self.

Objection. There is no repugnancy between these two, You shall assent to use every thing, and you shall assent to use it as true and good.

Answer. But when the Law is, You shall declare assent to the use of every thing in these following words, and no other; the following words may well hereby be limited to the simple use of things.

things. By assenting to the simple use of every thing, I do not precisely say that every thing is true, nor that any one thing is not true; but only that there is nothing in the Book but what may be innocently and godlily used. Is this a violent, much more a grossly violent, Exposition? Have I any reason to make the latter words broader than the former without apparent cause? If it will satisfy the sense of the Law to approve the use of every thing, why should you extort more from me? Prove that there is any one thing in the Book which may not in the course of Conformity be godlily used. Where the Law leaves me free, and gives me two strings to my Bow, you would hamper and restrain me, and deprive me of one of them, which is not fair, as though you were loth that Conformity should be just and honest. The Common Prayer Book, and its Forms, Rules and Rites were made to be used. If I say and declare, There is nothing in this Book, so far as I know, but what a godly man may, with a good conscience, use and submit to, do not I come up to the just meaning of the Law, and of the Canon-Subscription? Can either the Parliament or the Non-Conformists blame this sense of the words? We are not now upon a Criticism in Grammar, to be decided by a Colledge or Jury of Etymologists, Linguists, and Grammarians, but about a point of Conscience plainness and simplicity, what it is that our Governours may mean by these words. Words as such are no part of Godliness and Morality; for then the words of a Parrot would be a part of Godliness. Words are no further a part of Godliness, than

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they are the common way of expressing our minds one to another. And therefore why should we wrangle about the Grammatical sense, and turn Divinity, Charity and Godliness into a strife of words, and make the Grammar our Bible, while we all agree upon this plain, and obvious and unforced sence of these words? Thus, there is nothing in this Book, candidly understood, but what by a godly man may be godly used and submitted to. In this sence I am free to make the Canon-Subscription, and Act-Declaration.

It is excepted against my Book, that I produce a passage out of the Liturgy, which authorizeth the Bishop to expound doubtful words and matters in the Liturgy, and stretch it to his authority of expounding the two Declarations in the Act concerning taking armes, and the Covenant. To which I answer, That that which I call the Catholicon, literally construed, doth not precisely extend to those two Declarations: But that by a candid interpretation it doth not, may be doubted, because it all relates to one business. But admit it doth not, I have another string to my Bow. The Bishop is by law the Ordinary of the Diocess, whose office it is to ordain Ministers, and take their Subscriptions. I will grant he may not order or expound matters contrary to any thing in the Book. And it cannot but be granted by the Non-Conformists, that the Bishop hath power, by the law of his Office, to admit Ministers to subscribe these Tests with such explications, meanings, and allowances as will well stand with the words justly and fairly construed. Now suppose
Bishop

Bishop *Saunderson* were living, and I should go to him for Ordination, and say to him, My Lord, you were a principal Member of the Convocation, and Parliament which framed these Tests, especially that about the Covenant, you can best tell their scope and meaning. If I may be free to take them in the common sense of Protestants, and all sound Divines and Casuists, and so as not to contradict the rules laid down by you in your Book *de Jurejuramento*, I am free to take them, otherwise not. I have reason to believe he would say, the Convocation and Parliament meant no other. So do I take them. And I know not but that an honest man may with an honest explication, such as I have given, make these two Declarations; and that every Bishop of *England*, by the Law of his Office, hath power to accept such a Subscription. *Object.* By this device a man may subscribe to Popery, Paganism, and the grossest things. *Answ.* Not so: This is but to imitate Mr. *Baxter* and other eminent Divines, who have subscribed Forms of Confession in terms contrary to express Scripture, with the help of an explication. I declare, That what was each ones duty before that Oath, is much more so to all that have taken it. And consequently it bindeth them to be peaceable, and not to disturb the present Government, nor to go about to alter any thing that is better as it is and cannot be altered without making things worse. And I will note one thing, observed but by few. We are now upon the taking and expounding of the words of an Act of Parliament, which ordinarily belongeth to the Judges at *Westminster*. Now it is a rule in

our Laws, that the King shall not be bound by the general words of an Act of Parliament, not being expressly named, he being not a Subject, but the Sovereign. And therefore where he is not expressly named, the wisdom of the Law with us doth privilege and exempt him, in honour of the Royal Dignity. How far this may weigh in this case let others judge. *Object.* But your Expositions are lax and strained, they neither convince the Non-Conformists, nor please and serve the Conformists. There is scarce any one of them takes things in that sense which you do. *Ans.* I impose my judgment upon none. I propose it to both sides, with this *memento*, that to avoid prolixity I have spared to say many things which would make for Conformity, and some things my memory let slip, and by further study I have gained more knowledge, and some things are defectively worded. But had I my Work to do again, I would answer Mr. Baxter's Book in his own method; and I think I could do it to the advantage of Conformity. What marvel is it if *Cranmer* and *Ridley* do think otherwise of many things in the Common Prayer Book than *Bonner* and *Gardiner* do? As men are, so they will think and judge. *Recipiuntur res ad modum recipientis.* The sick and the sound must needs have a different taste. Multitudes of Non-Conformable Ministers do think otherwise of many points of Conformity, than Mr. Baxter and some of his way do. Nay, I believe he hath thought upon some reasons and exceptions against Conformity, which very few but himself did think of. Papists and Protestants will both subscribe the same Texts of Scripture,

Scripture, and yet not in the same, but in a contrary sense. Nor do the Protestants think their Subscription to those words, *This is my Body*, false and dishonest, because they partly go from the Letter, and retain the true meaning. Whereas the Papists rigidly adhere to the Letter, or rather both go against the Letter and true meaning, and establish most monstrous and incredible Doctrines. It is a common error to say that Oaths and Subscriptions are *stricti juris*, unless by *stricti* you mean *honesti*. I know I have so said in my Book; but I do here unsay or explain it. Oaths are no more *stricti juris*, than grave and serious words, for by *thy words thou shalt be justified, and by thy words thou shalt be condemned*. Such latitude and honest meaning as you will allow to grave and weighty sayings without an Oath, such and much more you are to allow with an Oath. The solemnity of an Oath doth not alter the nature of the matter asserted or promised. So great is the sin of Perjury, that if by any reasonable construction and utmost charity it can be avoided, it is not to be fastened upon any man, much less upon a number of men, learned, holy, and good, and some of them Martyrs. Those are not the best Ministers and People who are most strict, but who are most obedient to Gods Word, and abound in the Graces of Piety, Equity, and Charity. And if we must expound Divine and humane Laws Grammatically, we must turn our Bibles into Grammars, and Godliness into a mere science of words, and art of speaking, and the best Scholars and Grammarians must be accounted the best Christians; and Christ himself
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and the Holy Ghost must be condemned of Here-
 sie and Immorality for speaking honestly and
 plainly, rather than grammatically. Words
 were made for Men, and not Men for words.
 God will have mercy rather than Sacrifice; and
 rather than violate the rules of Piety, Charity,
 and Equity, we are to violate the Rules of Gram-
 mar, and the Art of Speaking. And instead of
 saying that Oaths are *stricti juris*, an unscriptu-
 ral Phrase and liable to exception, we ought ra-
 ther to say, that they be *equi & honesti*. Let those
 that impose Oaths be cautious what they impose,
 and let those that are to take them be cautious
 how they swear. But let us not, against the
 rules of equity, make a man an Offender for a
 word, while it may, by just and preponderating
 evidence, be made out, that if his words be not
 sound, his meaning is. The will of the Law *qua-
 litercunq; manifestata*, by what means soever notifi-
 ed, is the adequate Rule and Standard of Subscri-
 ption and Conformity. And it is an error to
 measure the Doctrine of the Church of *England*,
 and the sense of Conformity, by the opinions and
 conceits of some rigid Bishops and conformable
 Divines. I doubt not but my Expositions will no
 whit suite and square with their rigid Principles.
 But first let it be shewn that the Compilers and
 Imposers of the Liturgy meant otherwise. 2.
 Or if they meant ill in a thing that may be done
 well, it is lawful for me to propose my better
 sense, and being accepted or not gainfayed, my
 Conscience is safe. Touching the two Clauses
 in *Achanasius's* Confession, the whole Confession,
 with the two Clauses, seem to be received by all
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or most of the Christians Churches: I judge not the heathen World, nor weak Believers, nor such whose errors, though great, are not so potent in them as the truth, and they shall be saved yet so as by fire. I think *Athanasius* meant no more. In this sence I see not but those Clauses may be subscribed and used as true, rather than be silenced.

Touching the certainty of Baptized Infants salvation, dying before actual sin; the words, *It is certain*, &c. seem to tie salvation universally to the bare Sign in the case of Infants, and to barre from salvation all unbaptized Infants; and to make no distinction between the Infants of Christians and no Christians, Godly and Ungodly. *Indefinitum*, say they, in a matter which concerneth Salvation, *equivaleat universali*. But this axiom must be understood with caution and explication, or the words of Christ himself will be violated, *Except a man be born of water and of the Spirit, he cannot enter into the Kingdom of Heaven, Joh. 3. 5.* By the Doctrine of the thirty nine Articles and Liturgy, it is evident that the Church doth difference between the Infants of Christians and no Christians, and explodeth the Popish Doctrine of *opus operatum*, requiring of all the adult which come to Baptism, sound faith and repentance for themselves; and of Christian Parents or Pro-parents and Sureties for their Infants; and denieth not salvation to such as dye without the bare external Ordinance, by innocent surprize or infirmity. It is better to commit a Solecism in Grammar, than fasten a falshood or contradiction where it may be justly avoided, by construing the
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the words of the Liturgy in the same sense as you will construe the words of Christ and Scripture compared, *Mar. 16. 16. Joh. 3. 5. Mar. 10. 13, 14, 15, 16. 1 Cor. 7. 14. 1 Pet. 4. 21.*

Touching the *Apocrypha*, we read many falsehoods and abominable acts of Satan and men recorded in the Scriptures, which do historically relate them. I see not but we may read the worst passages in the *Apocrypha* taxed by the Non-Conformists, as humane Writings, sufficiently distinguished from the Divine, and approve the rule thereof, rather than be silenced. This is no such defect but what may be yielded to for peace, and the avoiding of worse evils. Whether it be evident to all reading Scriptures and ancient Authors, that Bishops be a distinct Order from Presbyters; Mr. Baxter conceives, "That

Treatise of Confirmation, pag. 299.

"for the better Government of the Churches, it would be a very ready and unquestionable way for the Magistrate to appoint an able, godly, moderate Minister, to be a Visiter in each County, or rather in each half or quarter of a County, to see the Churches well reformed, and provoke the several Pastors to their duty, and assist them in it where there is need, &c. If this be unquestionable now, it was so from the beginning, and hath been all along, it being a point which concerns the perpetual Government of all the Churches. It is evident to all that read the Scriptures, that besides the fixed Pastors of every Cure, there were in the Apostles time Episcopal Visitors, and general Officers and Ministers in the Church, such as he here describes; such

such were the Apostles themselves while living, *Timothy* and *Titus*, appointed by *Paul* unto this office, for all the Churches in *Crete*, *Tu. 1. 5.* an Island much larger than the largest Diocels in *England*, having in it anciently a hundred Cities. And nothing is more clear in the Writings of the Ancients, than the distinction of Bishops, Priests and Deacons. Whether you call them divers Orders or Degrees, is but a strife of words. The thing is plain to all moderate men. The Scripture makes no such curious distinction between Order and Degree. We all confess Deaconship to be an Order. The Scripture calls it an Office. They were chosen by the people, and solemnly ordained by the Apostles, with imposition of hands, *Acts 6.* and so must needs be a rank or order of men appointed to a special office. Yet doth the Scripture call this same order or office a Degree, *1 Tim. 3. 13.* There is certainly a distinction between vulgar fixed Parish Pastors visited, and eminent Diocesan, County, or Hundred Episcopal Ministers visiting. Compare *Tu. 1. 5. 2 Cor. 11. 28. Numb. 3. 32. Alt. 20. 2. Alt. 15. 36. Act. 14. 21, 22, 23.* and judge impartially. Such for substance is the Office of the English Bishops, if you will but distinguish between the true and genuine parts of Episcopacy, and separable parts, appendices and accidents; and between the Office it self, and the vices and failings of those that are intrusted with it. And such for the main were in their time *Cranmer, Ridley, Grindal, Usher, Hall, &c.* Note, here is no talk of the peoples election: *Paul* appointed *Titus*, and the Magistrate must appoint him, where there is a

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Christian Magistrate, without staying for the peoples vote, or asking their consent. This kind of Episcopacy will suit with the principles of all good men and people. *Object.* Why then might it not be obtained at the coming in of the King, and why was Bishop *Usher's* Model rejected? *Answ.* Why did the Presbyterians and Independents fall out in the late times? and why do many rigid Non-Conformists censure their more moderate Brethren, and think them Compilers with *Babylon*, for not going so far from the Parish-Churches, Episcopacy, and Conformity as they do? Answer the one, and you answer the other. Nor is this to confound Bishops and Arch-Bishops, for the Diocesan Visiter is in a limited sense *Episcopus*, or Superintendent over the Parish-Pastors, and the Arch-Bishop is *Episcoporum primus*, or *Episcopus primæ sedis*, the chief or Foreman of all the Diocesan Visitors in his Province.

I can give many reasons to make me fear the Imposers of this last Liturgy might mean Presbyterial Ordination with us to be null: but the reasons for the other side are so strong and cogent, that if I were sworn of a Jury to decide this point, my Conscience would compel me to give Sentence that they did not or do not judge Ordination by Presbyters to be a nullity, and yet they might causelessly decree those that had been ordained by Presbyters only, to be Episcopally ordained. Fear and presumption will not warrant the Judge and Jury to condemn a man of grievous crimes against more strong presumption and prevailing, or but æquibrious evidence. The Covenanters by solemn swearing the extirpation
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of Prelacy and Episcopacy, had given but too much occasion to the Bishops to lay harder yokes upon them, than otherwise they would have done. For ought I know *Cornelius* might be in the right in judging Baptism by Hereticks valid and not necessary to be repeated. And *Cyprian* with his Colleagues might be in the right, if *pro hic & nunc* they thought it prudential and advisable to rebaptize those, who had been baptized by Hereticks.

If only some Garments be now in use which were in use 2 Ed. 6. and some by publick allowance, authority, and general use are laid by, the Order in the Liturgy is not violated, the scope and full meaning of the Law is fulfilled, and part of the matter as to the Letter, and the rest by an equitable interpretation will give place.

It is said by an eminent Apologist for Non-Conformity, "That the number of

"ejected Ministers formerly

"were not comparable to what

"it is now, not one to one hun-

"dred. And that the people that are dissatisfied

"with the Liturgy or Ceremonies now, are ten,

"if not a hundred to one, to what they were for-

"merly. By this I gather that formerly the main

Body of all the good Ministers and People in the

Land were Conformists, which, in my opinion,

makes much for the reputation and safety of so

much of the present Conformity as is the same

with the old. If I can prove that the old points in

Conformity are the harder of the two, the gene-

rality of the good Ministers and People now will

see cause to have such estimation and affection for

Apology for the Non-Conformists 1669. pag. 6, 7. -III.

the whole present simple Conformity, which their Predecessors had for the old. If all that I have said amount to no more but the abating of mens censures, and the gaining of moderation, and the rendring of Conformity either more lovely, or less unlovely than many take it to be, I am not much beside my mark, and I shall not repent me of my pains, while I see so small hope of our Governours yielding to a relaxation of the terms of Conformity. And I adde in the close of all, That though I may not repute that Debate and Conclusion of the Lords and Commons a Law, yet I do give just regard to it, and declare it useful to know the full meaning and extent of the Law. And with just explications and proposed meanings such as be not contrary to the words candidly understood, I know nothing in the Book but what may be assented to and used not as best, but as true, and in a tolerable degree good. I will not lay my salvation on it, nor will the sober Non-Conformists, I suppose, lay their salvation on the contrary. Mis-translations, and the Kalendar about Easter, what errors are in these I approve not, save only to read and use the translation in the Liturgy. If I have wronged any of either side, I am ready upon Conviction to right them.

Psal. 141. 5. Let the righteous smite me, it shall be a kindness, and let him reprove me, it shall be an excellent oil, which shall not break my head.

The End.

